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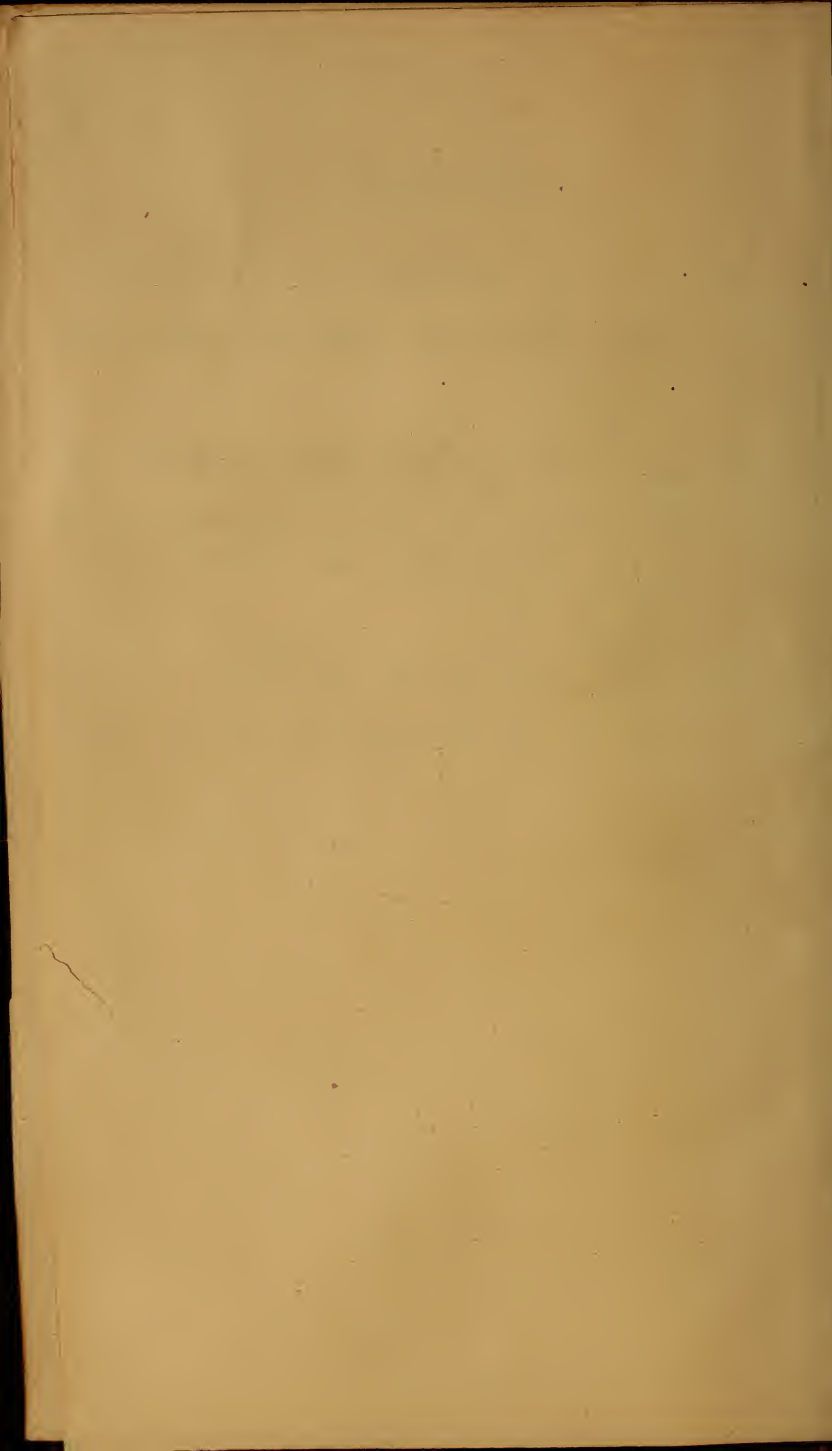
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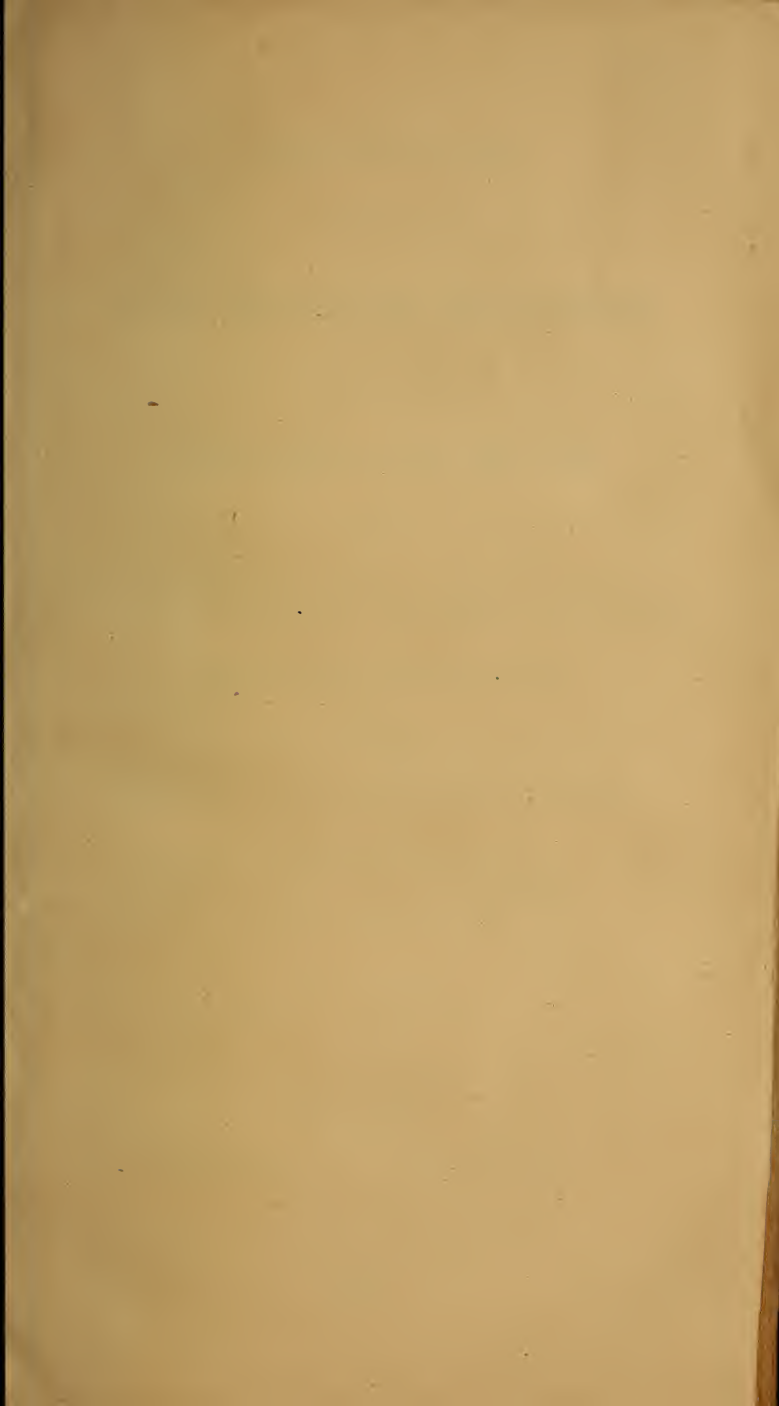
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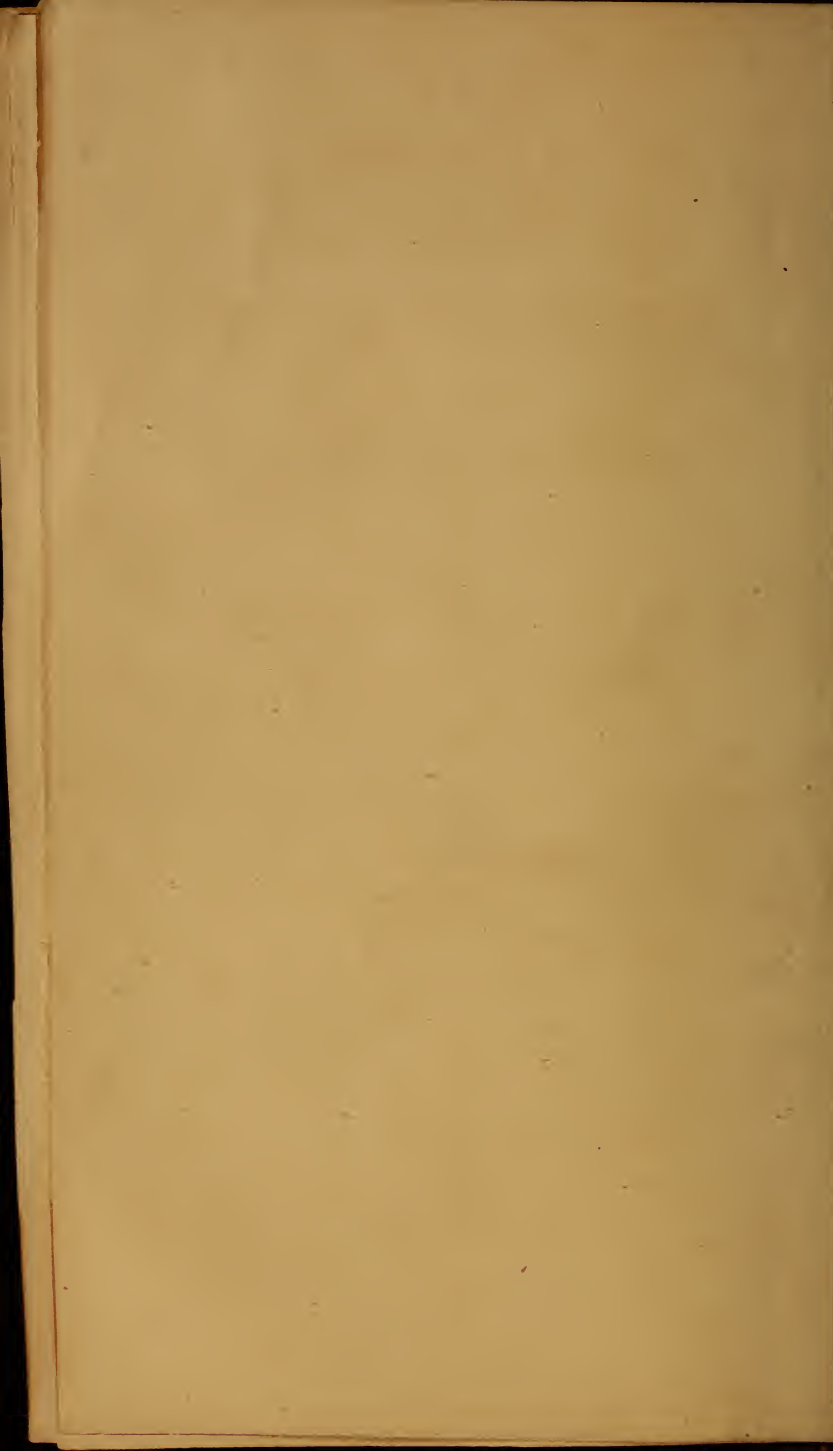


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Contents

- 1 Ancient alliance between  
The French & Scots pages 1<sup>th</sup>  
57
- 2 Account of the Expedition of  
William 9<sup>th</sup> Earl of Glencairn  
to the Highlands 1653-54  
page 59
3. The Life & Death of King James  
the 5<sup>th</sup> of Scotland page 81-









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# MEMOIRS

CONCERNING

## The Ancient Alliance

BETWEEN THE

FRENCH AND SCOTS,

AND

*The Privileges of the Scots in France.*

FAITHFULLY TRANSLATED

FROM THE

*Original Records of the Kingdom of France.*

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BY MR. THOMAS MONCRIEFF.

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# THE CONTENTS.

## CHAP. I.

	PAGE
THE alliance of France and Scotland, - - -	1
Treaty of alliance between Charles IV. surnamed the Fair, king of France, and Robert I. king of Scotland, concluded in 1326, - - -	4
Renewals of that alliance, - - - -	10
Contracts of marriage between the royal families of France and Scotland, - - - -	11

## CHAP. II.

Services done to France by the Scots, - - -	12
---	----

## CHAP. III.

Rewards of services granted by the kings of France to the Scots, - - - - -	16
SECT. 1. Dignities, offices, honours and lands, conferred upon the Scots in France, - - -	17
SECT. 2. Of the Scots guards, - - - -	19
SECT. 3. Letters of naturalization for all Scots- men granted or confirmed by the kings of France, - - - - -	23
SECT. 4. Letters-patents containing the privileges of the Scottish merchants trading in France, &c. - - - - -	25

	PAGE
Letters of general naturalization for the whole Scottish nation in France, by king Lewis XII. in 1513, - - - - -	25
Letters-patents of king Henry II. containing the privileges of the Scots, in the year 1558, -	31
Extract of the registers of the parliament of Paris,	35
Letters-patents of king Henry IV. bearing con- firmation of the privileges of the Scots in France, in 1599, - - - - -	36
Extract of the records of parliament, - -	41
Letters-patents of Lewis XIII. to confirm the pri- vileges of the Scots in France, in the year 1612, - - - - -	42
Extract of the registers of the parliament of Paris,	46
Act of king Lewis XIV.'s council of state, in fa- vour of the Scots in France, - - -	47
Privileges of the Scottish merchants trading in France, granted by king Francis I. in 1518,	49
Privileges of the Scottish merchants trading in France, granted by king Henry II. in 1554,	51
Confirmation of the privileges of the Scottish mer- chants trading in France, granted by king Henry IV. in 1599, - - - - -	53



MEMOIRS  
CONCERNING  
*THE ANCIENT ALLIANCE*  
BETWEEN THE  
FRENCH AND SCOTS,  
AND THE  
PRIVILEGES  
OF  
THE SCOTS IN FRANCE.

~~~~~

AS the privileges of the Scots in France are a consequence of the union and alliance which subsisted so many ages between the two crowns, it is necessary, in the first place, to treat what regards that alliance, in order to come afterwards to the privileges granted by the Kings of France to the Scots.

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CHAP. I.

THE ALLIANCE OF FRANCE AND SCOTLAND.

It is the general opinion of all the Scottish historians, that the alliance of the French and Scots is

as ancient as Charlemagne. \* Some French historians have related the same fact ; and so undoubted did it appear in France under Henry II. that in the † contract of marriage between Francis the Dauphin his son, and Mary Queen of Scotland, it is expressly said, that the friendship of the two kingdoms had subsisted eight hundred years ; which carries it up to the reign of Charlemagne. And the ancient author of *Chronicon Normaniæ*, ‡ speaking of Charles the Bald in the year 848, seems to insinuate this alliance in these terms : “ *Rex Scotorum ad Carolum, pacis et amicitiae gratia, legatos cum muneribus mittit, &c.*” [The King of Scotland to Charles, for peace and friendship’s sake, sendeth ambassadors with presents, &c.]

David Chamber, one of the lords of council and session at Edinburgh, in his history dedicated to Henry III. King of France, in 1579, produces a series of treaties of alliance between the Kings of France and Scotland, which he pretends to have taken from ancient Scottish historians no longer to be found.

Such are the treaties of alliance between Philip I. King of France, and || Malcolm III. King of Scotland ; between Lewis VII. and § Malcolm IV. and between the same Lewis VII. and ¶ William King of Scotland ; between Philip II. and \*\* Alexander II. ; between St. Lewis and †† Alexander III.

But whatever be in those first alliances, of which

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\* Jo. Fordun. lib. 3, cap. 48. Boeth. l. 10. p. 185, &c. Jo. Major. l. 2. c. 13. Paul. Æmil.—† Printed by Leonard.—‡ Chron. Norman. edit. Duchesne, p. 525 —|| David Chamber hist. f. 129.—§ Ib. f. 140.—¶ Ib. f. 141.—\*\* Ib. f. 149.—†† Ib. f. 153.

we can vouch neither certain documents, nor authentic copies, it is unquestionable, that, to begin from Philip the Fair, there runs an uninterrupted train of alliances between the Kings of France and of Scotland, down to Henry IV. and James VI. Even in the year 1326, the treaty of Charles the Fair and Robert I. shows that there had been “a friendship or alliance of long standing between our predecessors Kings of France, and our kingdom, on one part, and the Kings of Scotland, and the said kingdom of Scotland, on the other.” These are King Charles’s own words in the treaty, which clearly supposes that the alliance between France and Scotland is far more ancient than his time, though we have not now extant any authentic copy of such treaties prior to that of Philip the Fair and John Baliol, in 1295.

Here follows the series of those treaties of which any copies remain, and of which the originals were actually amongst the charters of France in Henry II.’s time, according to an inventory made of them, together with the treaties of France and England, by Mr. Du. Tillet, clerk of parliament, and printed in folio, 1588.

Treaty of alliance between Philip the Fair, \* King of France, and John Baliol, King of Scotland, concluded at Paris, the 23d of October, 1295.

Treaty of alliance between Charles IV. surnamed the Fair, King of France, and Robert I. King of Scotland, concluded in 1326.

Charles, by the Grace of God, King of France

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\* Rymer *foedera Angliæ*, tom. II. p. 680. &c.

and Navarre, to all who shall see and hear these presents, greeting. As amongst other things whereby kings reign, and kingdoms are governed, a meet and necessary thing it is, that princes should ally themselves together by bond of friendship and good-will, in order, the grievances of those who desire to grieve them, more forcibly to restrain; and the tranquillity of them, and of their subjects, more peaceably to secure; we, having this in regard, are willing to renew by treaty the friendship and good-will, which have long subsisted between our predecessors Kings of France and our kingdom, on one part, and the Kings of Scotland and the said kingdom of Scotland on the other, with the noble Prince Robert, by the grace of God, King of Scotland, our special friend, against the King of England, whose predecessors have often laboured to aggrieve the said kingdoms of France and Scotland in many and sundry ways.

And this we do by these envoys, namely, Thomas Ranulph, Earl of Moray, Lord of Walls, Annand, and Man, Mr. James Dun, Archdeacon of St. Andrews, doctor of laws, Adam Moray, doctor in canon law, and Walter Tyntham, canon of Glasgow, all vested with special power in form following: “*Universis præsentibus literis inspecturis, Robertus Dei gratia rex Scotorum, salutem. Noverit universitas, quod nos facimus, constituimus, et per præsentibus ordinamus, dilectos et fideles nostros Thomam Ranulphi comitem Moraviæ, dominum Vallis, Annandi et Manni, nepotem nostrum carissimum, Robertum de Keth marischallum Scotiæ, magistros Jacobum Dun archidiaconum*



Sancti Andreæ, legum professorem, Adamum de Moravia decretorum doctorem, et Walterum de Tintham canonicum ecclesiæ Glascoensis, procuratores nostros et nuncios speciales, ad tractandum cum serenissimo principe domino Carolo, Dei gratia Franciæ et Navarræ regi illustri, super quibuscumque confœderationibus inter ipsum, hæredes suos, procures et regnicolas regni sui, ex parte una, et nos, hæredes nostros, procures et regnicolas regni nostri, ex altera, ineundis; dantes iisdem, et dicto comiti, cum quatuor, tribus, duobus, aut uno eorumdem, plenariam, generalem et liberam potestatem, ac speciale mandatum, cum eodem serenissimo principe, seu quibuscumque ejus potestatem ad hæc habentibus, cujuscumque status, conditionis aut dignitatis, existant, tractandi, paciscendi, firmandi, et wallandi, nomine nostro et regni nostri, quascumque confœderationes, obligationes, et facta, quibus inter eundem regem illustrem, hæredes suos, et procures et regnicolas regni nostri, perpetuæ confœderationis et amicitiae secunda firmitas poterit concordari; ratum et gratum habentes et habituri pro nobis et hæredibus nostris, proceribus et regnicolis nostris regni, quicquid iidem, aut dictus comes, cum quatuor, tribus, duobus, aut uno eorumdem, cum eodem domino rege, vel ejus potestatem habentibus, faciendum duxerint vel duxerit in præmissis. In cujus rei testimonium, præsentibus literis sigillum nostrum præcipimus apponi. Datum apud Donde vigesimo die Aprilis, anno gratiæ millesimo trecentesimo vicesimo quinto; et anno regni nostri vicesimo.” [To all who shall behold these presents, Robert, by the grace of

God, King of Scots, greeting. Be it known to all men, that we make, constitute, and by these presents appoint, our trusty and well-beloved Thomas Ranulph, Earl of Moray, Lord of Walls, Annand, and Man, our most dear nephew, Robert of Keith, Marischal of Scotland, Masters James Dun, Archdeacon of St. Andrews, professor of laws, Adam of Moray, doctor in canon law, and Walter of Tyntham, canon of the church of Glasgow, our procurators and special envoys, to treat with the most serene Prince Charles, by the grace of God, of France and Navarre illustrious King, concerning any alliances or engagements whatsoever to be made between himself, his heirs, his nobles, and his people, on one part, and us, our heirs, our nobles, and our people, on the other; granting to the same, and to the said Earl, together with any four, three, two, or one of the same, full, general, and free power, and special warrant, to treat, stipulate, confirm, and corroborate with the same most serene Prince, or any persons vested with his power for this purpose, of what station, condition, or dignity soever, in our name, and in name of our kingdom, any alliances, obligations, and deeds, whereby the perpetual alliance and friendship between the same illustrious King, his heirs, and his nobles, and the inhabitants of our kingdom, may be firmly and securely cemented; holding and to hold valid and valuable, for ourselves and our heirs, our peers, and our people, whatsoever the same, or the said Earl, with any four, three, two, or one of the same, shall judge meet to be done in the premises, with the same king or his

plenipotentiaries. In testimony whereof, we command our seal to be appended to these presents. Given at Dundee, on the twentieth day of April, in the year of grace one thousand three hundred and twenty-five, and in the twentieth year of our reign.]

We have made alliance in manner following, to wit, that we, our heirs, our successors Kings of France, our kingdom, and our whole community, are bound and obliged to the said King of Scotland, his heirs, his successors Kings of Scotland, his kingdom, and his whole community, in good faith, as loyal allies, whenever they shall have occasion for aid or advice, in time of peace or war, against the King of England and his subjects: that we shall aid and advise them, whereinsoever we honestly can as loyal allies; and if we, our heirs, our successors Kings of France, our kingdom, or our community, shall make peace or truce with the King of England, his heirs Kings of England, or his subjects, that the King of Scotland, his heirs, his successors Kings of Scotland, his kingdom, and his community, shall be excepted; so that such peace or truce shall be null, whensoever war is waged between the aforesaid Kings of Scotland and of England: and, if the King of Scotland, his heirs, his successors Kings of Scotland, his kingdom, and his community, shall make peace or truce with the King of England and his subjects, that we, our heirs, our successors Kings of France, our kingdom, and our whole community, shall be excepted; so that such peace or truce shall be null, whensoever war is waged be-



tween us and the said King of England : and the said King of Scotland, his heirs and successors Kings of Scotland, shall be bound and obliged to us, our heirs, our successor Kings, and our kingdom, to make war upon the kingdom of England with all their force, whensoever war is waged between us and the King of England ; the truces between the said Kings of England and Scotland, already made and pending, in what manner soever concluded, all and every part of them firmly preserved and faithfully performed. We promise, in good faith, to the said procurators, in name procuratorial of the said King of Scotland, both for him, ourselves, our heirs, and our successor Kings, our kingdom, and our whole community, in terms of the abovesaid, inviolably obliging, all and every one of the said articles firmly to observe, faithfully to perform, and fully to accomplish. All this we promise in good faith, as it concerns us, our heirs, our successor Kings, and our kingdom ; and all this hath our beloved and trusty counsellor, Guy-chender, sworn in our presence, and on our soul upon the holy gospels, at our command ; and this oath, on the soul of the King of Scotland, for him, his heirs, his successors, and his kingdom, hath the Earl of Moray, nephew to the King of Scotland, taken according to special commission, whereof the form is this : “ *Universis Christi fidelibus, ad quorum novitiam præsentēs literæ pervenerint, Robertus Dei gratia rex Scotorum, salutem in Domino sempiternam. Noveritis nos, per præsentēs literas, dedisse plenariam potestatem et speciale mandatum Thomæ Ranulphi comiti*



Moraviæ, et domino Vallis, Annandi et Manni, nepoti nostro carissimo, ad jurandum in animam nostram super quibuscunque confœderationibus, obligationibus, seu pactis, inter serenissimum principem dominum Carolum Dei gratia regem Franciæ et Navarræ illustrem, hæredes suos, proceres et regnicolas regni sui, ex parte una, et nos, hæredes nostros, proceres et regnicolas regni nostri, ex altera, firmitus ineundis; et quicquid dictus comes, jurando in animam nostram, in dicto negotio, firmaverit, nos ratum et firmum perpetuo habituri promittimus bona fide. In cujus rei testimonium, præsentibus literis sigillum nostrum præcipimus apponi. Datum apud Donde vicesimo die Aprilis, anno gratiæ millesimo trecentesimo vicesimo quinto, et anno regni vicesimo." [To all the faithful in Christ, unto whose knowledge these presents shall come, Robert, by the grace of God, King of Scots, sendeth eternal health in the Lord. Be it known to you, that we, by these presents, have given full power and special mandate to Thomas Ranulph, Earl of Moray, and Lord of Walls, Annand, and Man, our most dear nephew, to swear upon our soul to the more firmly establishing any alliances, obligations, or conventions, whatsoever, between the most serene Prince Charles, by the grace of God, of France and Navarre illustrious King, his heirs, his nobles, and his people, on one part, and us, our heirs, our nobles, and our people, on the other; and whatsoever the said Earl, by swearing upon our soul, shall in the said negotiation establish, we promise, in good faith, to hold ratified and confirmed for ever. In

testimony whereof, we command our seal to be appended to these presents. Given at Dundee on the twentieth day of April, in the year of grace one thousand three hundred twenty-five, and in the twentieth year of our reign.]

And, to the end that this thing may be firm and stable in all time coming, we have caused our seal to be affixed to these presents. Given at Courbeny, in the year of grace one thousand three hundred and twenty-six, in the month of April.

Renewal of the alliance of France and Scotland, between Charles, Dauphin of France, (King John his father being prisoner in England,) and David II. King of Scotland, at Paris, June 29, 1359. \*

Renewal of the said alliance between the Kings Charles V. of France, and Robert II. of Scotland, at Vincennes, June 3, 1371. †

Renewal of the said alliance between Charles VI. King of France, and Robert III. King of Scotland, March 3, 1390. ‡

Renewal of the said alliance between the said Charles VI. King of France, and Robert Duke of Albany, Regent of Scotland during the captivity of King James I. in 1407.

Renewal of the said alliance between Charles VII. King of France, and Murdoch Duke of Albany, Regent of Scotland, in 1423. §

Renewal of the said alliance between Charles VII. King of France, and James I. King of Scotland, in 1428. ||

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\* Du Tillet's collection of treaties, p. 80.—† p. 98.—‡ p. 116.—§ p. 137.—|| p. 135.

Renewal of the said alliance between the same Charles VII. King of France, and James II. King of Scotland, in 1448. \*

Renewal of the said alliance between Charles VIII. King of France, and James IV. King of Scotland, in 1491. †

Renewal of the said alliance between Lewis XII. King of France, and the same James IV. King of Scotland, in 1512. ‡

Renewal of the said alliance between Francis I. King of France, and James V. King of Scotland, in 1515. §

Renewal of the said alliance between Francis I. King of France and Mary Queen of Scotland, in 1543. ||

This same alliance was again renewed between Henry II. King of France, and Mary Queen of Scotland, and between the succeeding Kings.

To strengthen these alliances by stricter ties, the royal families of France and Scotland have been several times united by marriage.

The contracts are extant of the following.

Contract of marriage between Edward Baliol, son and heir to John King of Scotland, and Joan daughter to Charles de Valois, brother of King Philip the Fair, in 1235. ¶

Contract of marriage between Lewis Dauphin of France, afterwards Lewis XI. and Margaret daughter to James I. King of Scotland, in 1436. \*\*

\* P. 140.—† p. 149.—‡ Collection of the treaties of France and Scotland.—§ Du Tillet's collection, p. 164.—|| Collection of treaties between France and Scotland.—¶ Rymer, *foed. Angl.* tom. 2, p. 697, and 698.—\*\* Du Tillet's col. p. 137.

Contract of marriage between James V. King of Scotland, and Magdalen daughter to King Francis I. in 1536.

Contract \* of marriage between Francis Dauphin, afterwards Francis II. King of France, and Mary Queen heiress of Scotland, in 1558. †

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## CHAP. II.

### SERVICES DONE TO FRANCE BY THE SCOTS.

ONE of the principal effects of this ancient alliance was the mutual succour which the two nations engaged to give each other against the English their common enemy ; and it was in consequence of this engagement that the Scots rendered so great services to France, especially in the fourteenth century, whither by sending the flower of their bravest men into France, to succour its inhabitants against the English, almost masters of the kingdom, or by attacking England with all their force, on the side of Scotland, as oft as the English passed the sea to attack France.

In 1346, after the fatal battle of Crecy, (or Cressi,) in order to check the victorious English, to prevent their pushing their conquests in France, and to make a diversion there, David II. King of Scotland, attacked England, and ravaged all the north of it, where, losing a bloody battle, he was defeated and taken, and, after ten years captivity, obliged to find a ransom. ‡

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\* Printed by Leonard.—† Mem. Scot. tom. 1, p. 37.  
—‡ Froissard.



This did not hinder the kings his successors from continuing to attack England, in order to stop the irruptions of the English into France. But it was chiefly at the time when the French monarchy, within a hairbreadth of its overthrow, when the English, through the weakness of King Charles VI. and the help of the Burgundians, were masters of almost the whole kingdom, and when their Henry VI. was crowned at Paris King of France; it was, I say, chiefly in this extremity, that the Scots sent, time after time, of their first nobility, with the flower of the troops of Scotland, to support the just right of the Dauphin of France, sole lawful heir of the crown, but then proscribed and abandoned by the greater part of his French subjects, and by almost all the other allies of the crown.

For, in 1420, Robert Duke of Albany, Regent of Scotland, sent to the Dauphin's assistance John Earl of Buchan, his son, with Archibald Douglas Earl of Wigtoun, John Stewart of Darnly, and other nobility, at the head of a considerable body of troops, by whose aid the English were defeated at Beauge, in a bloody battle, where the Earl of Clarence, brother to the King of England, the Earl of Kent, and a great number of the English nobility were killed, and many others made prisoners. \*

In the year 1422, the Earl of Douglas, at the head of a new reinforcement of five thousand Scots, arrived in France to the aid of the Dauphin, ac-

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\* Hist. D'Alait. chart. p. 49. David Cham. 177. Tillet's Treaties of France and England, p. 126.



known King, since the death of his father, by the name of Charles VII. and after most of his troops had been cut off in the battle of Devreuil. \*

In 1424, there came again fresh troops from Scotland to the succour of Charles VII. under the command of Robert Petilloch, (or perhaps Pattulloch,) a great captain in those days. †

In 1428, the same King Charles VII. pressed on all sides by the English and other enemies of the French monarchy, sent, to seek new aid of King James I. of Scotland, the Archbishop of Rheims, with John Stewart of Aubigny, and to ask in marriage the Princess Margaret, King James's eldest daughter, for his son Lewis, Dauphin of France. All was granted him; the ancient alliances were renewed, and the Lord of Aubigny repassed into France with fresh troops. But the Princess being yet too young, as well as the Dauphin, she went to France only in 1436, well attended by nobility and reinforcements.

In fine, King Lewis XII. in his letters-patents ‡ of the privileges of the Scots in France, extols the service which the Scots did in the expulsion of the English, in these terms. “Lastly, and in the lifetime of our late most dear lord and cousin King Charles VII. (whom God absolve,) several princes of the said kingdom of Scotland, with a great number of people of the said nation, came over to help to cast and expel forth of this kingdom, the English, who held and occupied most part of the realm, and

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\* Al. chart. hist. of Charles VII. p. 85. David Cham. p. 177.  
—† Da. Cham. p. 178.—‡ See these letters in the sequel.

so valorously exposed their persons against the said English, that these were driven out, and the said realm restored to his obedience, &c." And, after the reduction of France to the obedience of its lawful sovereign, the Scots continued to send succours into France, and to attack England, in order to make a diversion, as often as the kings of France should require it; besides that, there were some of the best families of Scotland destined solely to the service of France. Thus we see the lords of Aubigny, Stewart, John, Robert, Bernard, (called also Berald,) and others of that family, in the service of France, under Charles VIII. Lewis XII. and in the following reigns; especially in the wars of Italy, where they distinguished themselves at the battle of Fornova, and in the kingdom of Naples.

In 1507, by the relation of Claud Seysil, Archbishop of Turin, a contemporary author, King James IV. on occasion of the wars of King Lewis XII. in Italy, sent to him, and offered to come in person to serve him with ten or twenty thousand fighting men.\* And the same King James, in 1513, having learned that France was attacked by the Emperor and the King of England conjunctly, in order to make a diversion, (as the same King Lewis XII. observes, †) attacked on his side England with all his force, though King Henry VIII. was his brother-in-law, and obliged him to send back part of his troops into England; whereupon fol-

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\* Seysil. hist. of Lewis XII. p. 142.—† In his let. pat. as after.

lowed the fatal battle of Flowden between the English and Scots, in which King James lost his life, with the flower of the Scots, solely in the quarrel of France.

Lastly, in 1548, the preference which the Scots made of the alliance of France to that of England, for the marriage of the young Queen Mary, heiress of Scotland, involved that kingdom in a war of about twenty years with England, which was followed by an infinity of mischiefs, and ended at last in the ruin of the Roman catholic religion in Scotland.

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### CHAP. III.

#### REWARDS OF SERVICES GRANTED BY THE KINGS OF FRANCE TO THE SCOTS.

IT was by reason of the ancient alliances between the two kingdoms, and as it were in compensation of the services done to France, and of the losses in consequence sustained by the Scots, that the kings of France behaved to the Scots as if they had been their own native subjects. 1. To particular persons, by promoting or admitting them to all manner of dignities, honours, and offices, military, civil, and ecclesiastical. 2. By committing to the Scots the guard of their own royal persons with singular prerogatives. 3. By granting to all Scots, in general, letters of naturalization, and regarding them as real denizens of their kingdom. 4. By granting particular exemptions of duties to all the Scottish merchants in France.

## Section First.

DIGNITIES, OFFICES, HONOURS, AND LANDS, CONFERRED  
UPON THE SCOTS IN FRANCE.

In 1422, John Stewart, Earl of Buchan, was made Constable of France, after the battle of Beauge, by King Charles VII. and lost his life in his service at the battle of Verneuil. \*

In 1423, Archibald Earl of Douglas was created Duke of Tourain by the same king, and sacrificed his life in the same battle. †

In 1424, the same king gratified John Stewart of Darnly, Constable of the Scots in France, with the lordship of Aubigny, ‡ which continued down to our days, in his descendants dukes of Lennox, until the very extinction of the family. Charles VII. gave him also the county of Dreux, and made him a Marshal of France. § His descendants lords of Aubigny, John and Bernard, (known by the name of Berald,) merited like honours by their services, and the lords of that family were in a manner hereditary captains of the Scots guards. ||

In 1428, Charles VII. gave to James I. King of Scotland, the county of Xaintonge and Rochfort in peerage. ¶

About the same time the same king made the Laird of Monypenny his chamberlain, and gave him the lordship of Concessant.

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\* Al. Chart. hist. of Charles VII. p. 53.—† p. 59. Du Till. coll. p. 135.—‡ Ibid.—§ p. 137.—|| Hist. of Charles VIII. edit. Godfrey, p. 384, 385.—¶ Du Till. coll. p. 137.



In 1495, the Lord of Aubigny was made Governor of Calabria by King Charles VIII. \*

In 1524, John Stewart Duke of Albany, had a seat in the parliament of Paris, by command of Francis I. before the dukes and peers. † He was appointed Viceroy of Naples, General of the galleys of France, and Governor of the Bourbonese, of Auvergne, and of other provinces. ‡

About the same time, Robert Stewart of Aubigny, was made a Marshal of France.

In 1548, King Henry I. gave the duchy of Chatelherault to James Hamilton Earl of Arran, Regent of Scotland, and presented him with the collar of his order, which that king sent also to the Earls of Huntly, Argyll, and Angus. §

With regard to offices, the Scots have exercised some of the most considerable in France. || Mr. Servien, a famous advocate under Henry III. in his pleading before the parliament of Paris, relates that Mr. Turnbull, a Scotsman, was a judge in the same parliament, and afterwards first president of the parliament of Rouen: Adam Blackwood was a judge on the bench of Poitiers, and others in courts of justice.

The Scots have also possessed in France some of the first dignities of the church. Andrew Foreman was Archbishop of Bourges, David Bethune, Bishop of Mirepoix, David Panter, (or perhaps Panton,) and after him James Bethune Bishop of

\* Daniel's hist. of France, Lond. edit. 2d. p. 134.—† Baluze hist. de la tour d' Auvergne, vol. ii. p. 688.—‡ Same hist. vol. i. p. 353, 354, &c.—§ Tit. du duché de Chat. p. 1, 3. 2d. edit. p. 10.—|| Serv. plead. printed in 1586, p. 21.



Glasgow, were successively Abbots of L'Absie, besides a great number of priors, canons, curates, and other beneficed persons in France. And it is remarkable, that, in the year 1586, the cure of St. Côme at Paris, conferred by the university upon John Hamilton, having been disputed him by a French ecclesiastic, who protested against Hamilton as being a Scotsman, Hamilton's cause was pleaded, in the parliament of Paris, by Mr. Servien advocate in parliament, who proved that the Scots enjoyed the right of denizens, and in consequence, by decree of the court, the provisional possession of the cure was adjudged to Hamilton. \*

And, in the university of Paris, the Scots made formerly so considerable a figure, that one of the four nations, of whom the faculty of arts is composed, which is now called the German nation, was formerly styled "*natio Germanorum et Scotorum*;" and besides a great number of doctors and professors in all the faculties, we find still, upon the records of the university, that there have been thirty rectors of the university all Scotsmen, in times when the office of rector was much more considerable, both in church and state, than it is at present.

### Section Second.

#### OF THE SCOTS GUARDS.

Nothing shows better the consideration which the kings of France had for the Scots, and the entire confidence they placed in their fidelity, than

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\* Serv. plead. 1586.

the choice they made of them for the guard of their sacred persons.

With regard to the establishment of the Scots guards, Scottish writers refer its beginning to the reign of St. Lewis, others to King Charles V. But it is allowed that it was King Charles VII. who gave them the form in which they have since preserved themselves. King Lewis XII. in his letters-patents \* of naturalization to the Scots, speaks of this establishment in the following manner : after having set forth, in terms the most honourable to the nation, the service which the Scots did to King Charles VII. in the expulsion of the English out of France, and in the reduction of the kingdom to his obedience, he adds, “ Since which reduction, and for the service the Scots rendered to Charles VII. upon that occasion, for the great loyalty and virtue which he found in them, he selected two hundred of them for the guard of his person, of whom he made an hundred men at arms, and an hundred lifeguards. And the said hundred men at arms are the hundred lances of our ancient ordinances ; and the lifeguard-men are those of our guard, who still are near and about our person.”

With respect to the fidelity of the Scots in that honourable post, take here the testimony bore them by Claud Seysil, Master of Requests to the same Lewis XII. and afterwards Archbishop of Turin, in his history of that prince where speaking of Scotland, he says, “ The French have so ancient a friendship and alliance with the Scots, that, of four

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\* Which see after.

hundred men appropriated for the king's lifeguard, there are an hundred of the said nation who are the nearest to his person, and in the night keep the keys of the apartment where he sleeps. There are, moreover, an hundred complete lances, and two hundred yeomen of the said nation, beside several that are dispersed through the companies: and for so long a time as they have served in France, never hath there been one of them found that hath committed or done any fault against the kings or their state; and they can make use of them as of their own subjects."

The ancient rights and prerogatives of the Scottish lifeguards were very honourable. Here follows the description which those same Scots guards give of the functions and prerogatives of their company, and especially of the 24 first guards; to whom the first Gendarme of France being added, they make up the number of 25, commonly called "Gardes de Manche," sleeve-guards, who were all Scots by nation.

Two of them assisting at mass, sermon, vespers, and ordinary meals; on high holidays at the ceremony of the royal touch, and the erection of knights of the king's order, at the reception of extraordinary ambassadors, and public entries of cities, there must be six of their number next to the king's person, three on each side of his majesty; and the body of the king must be carried by these only, wheresoever ceremony requires, and his effigy must be attended by them. They have the keeping of the keys of the king's lodging at night, the keeping of the choir of the church, the keeping of

the boats when the king passes the rivers, the honour of bearing the white silk fringe in their arms, which is the coronal colour in France ; the keys of all the cities where the king makes his entry given to their captain in waiting or out of waiting. He has the privilege in waiting, or out of waiting, at ceremonies, such as coronations, marriages, funerals of the kings, baptisms and marriages of their children, to take duty upon him ; the coronation-robe belongs to him ; and this company by the death or change of a captain, never changes its rank, as do the three others.

This company was heretofore wholly composed of Scotsmen. But as, in the reign of Henry II. several French, or others than Scots, had been admitted there, as well as among the Scots Gendarmes, that prince, at the solicitation of the deputies of the states of Scotland, gave a breviat, of which the original is extant, signed by the king's own hand, bearing date June 28, 1558, whereby his majesty promises that he shall not allow any person to enter there, who is not a gentleman of the said nation of Scotland, and sprung from a good family, &c. \*

This regulation did not hinder afterwards others than Scots from being sometimes admitted, as appears by the remonstrances made upon that subject, from time to time, by the queen-mother, and her son James VI. and by the privy council of Scotland, in the roll of the year 1599, given in by the captain of the Scots guards to the chamber of accounts. Three fourths of the yeomen, as well of the body as of the sleeve, were still, however, Scots.

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\* Mem. Scot. tom. 1, p. 78.



It was but afterwards, and by degrees, that this company became filled with French, to the exclusion of Scotsmen : so that at last there remained no more than the name, and the answer, when called, *I am HERE.*

### Section Third.

LETTERS OF NATURALIZATION FOR ALL SCOTSMEN GRANTED  
OR CONFIRMED BY THE KINGS OF FRANCE.

The first letters known of naturalization to the Scots, were granted by King Lewis XII. at the instance of Andrew Foreman, Bishop of Moray in Scotland, and Archbishop of Bourges. They were given at Amiens in the month of September, 1513. A copy will be found in the sequel.

In 1547, Henry II. granted letters of naturalization to the Scots guards in particular, given at Fontainebleau in the month of November, 1548, at the exchequer-chamber, on the 12th of February.

The same King Henry II. granted new letters-patents of naturalization for all Scotsmen, at the instance of James Bethune, Archbishop of Glasgow, and other deputies of the states of Scotland, for the marriage of Queen Mary and the Dauphin. The letters are given at Villiers-couterets, in June, 1558, registered, with some modifications, in the parliament of Paris July the 11th, at the exchequer-chamber the 13th of July, and in the grand council the 19th of the said month of July. The copy here afterwards inserted, was made from an authentic duplicate signed by the hand of Mr Du Tillet,



clerk of parliament. The charter is also printed in the Scots acts of parliament.

King Henry IV. confirmed, at the instance of the same James Bethune, Archbishop of Glasgöw, ambassador from Scotland, the right of naturalization to all Scots, by his letters-patents, given at Fontainebleau in the month of March, 1599, registered in the parliament of Paris, with some modifications, the 31st of July, in the said year. The copy, to be found in the sequel, is done from a copy collated before notaries.

In 1612, the same privileges were confirmed to the Scots by King Lewis XIII. in his letters-patents, given at Paris in the month of October, 1612, registered in parliament, with some modifications, December 15th, and in the treasury-books the 20th of the said month.

The copy we shall afterwards give is taken from a copy collated before notaries.

It appears also by an act of Lewis XIV.'s council of state, that his majesty had confirmed the ancient privileges of the Scots since his accession to the crown, and, in consequence, he discharged them of the taxes imposed upon foreigners.

This act was issued, at Fontainebleau, the 19th of September, 1646. A copy of it will be found in the sequel.

*Section Fourth:*

LETTERS-PATENTS CONTAINING THE PRIVILEGES OF THE SCOTTISH MERCHANTS TRADING IN FRANCE, GRANTED OR CONFIRMED BY THE KINGS OF FRANCE, AND OF WHICH THE COPIES ARE IN THE SEQUEL.

1. Letters-patents of King Francis I. containing the privileges of the Scottish merchants, given at Amboise in the month of May, 1518.

2. Letters-patents of King Henry II. to confirm the same privileges, given at Paris the 3d of February, 1554.

Confirmation of the privileges by King Henry IV. in his letters-patents given at Fontainebleau in the month of March, 1599. This copy is done from a copy collated with the original in parchment.

Letters of general naturalization for the whole Scottish nation in France, by King Lewis XII. in 1513.

LEWIS, by the grace of God, King of France, Be it known to all present and to come, that as, in all time and antiquity, between the kings of France and Scotland, and the princes and subjects of the two kingdoms, a most strict friendship, confederacy, and perpetual alliance, have subsisted and by these are both the kings bound to succour each other, towards and against all, and so against their ancient enemies the English, which they have done several times; and, latterly, during the life our late most dear lord and cousin King Charles VII. (whom God absolve,) several princes of the

said kingdom of Scotland, with a great number of the said nation, came over to help to cast and expel forth of the kingdom the English, who held and occupied great part thereof; which friends exposed their persons so valourously against the English, that they were driven out, and the said kingdom reduced unto his obedience; since which reduction, and for the service they did him upon that occasion, the great loyalty and virtue he found in them, he selected two hundred of them for the guard of his person, of whom he made an hundred men at arms, and an hundred lifeguard-men; and the said hundred men at arms are the hundred lances of our ancient ordinances; and the lifeguard-men are those of our guard, who still are near and about our person. And forasmuch as our beloved and trusty counsellor the Archbishop of Bourges, Bishop of Moray, now ambassador with us, from our most dear and most beloved brother, cousin, and ally, the King of Scotland still reigning, and our beloved and trusty counsellor and chamberlain, Sir Robert Stewart Lord of Aubigny, Captain of our Scottish guard, and of the hundred lances of our said ancient ordinances of the said nation, have remonstrated to us how much it hath been always desired, that the Scots, when called to our said kingdom of France, and our subjects who might go to live in that of Scotland, or might decrease there, on the account of trade or otherwise, should be enabled to testate and dispose of their effects to their respective heirs, and so indeed hath this been hitherto observed in the said kingdom of Scotland: as to our subjects, however, those of

the said nation of Scotland are obliged, as well such as are in our service of our said guard, as men at arms, and others whatsoever of that nation who are on this side, to take out particular letters of naturalization, and leave to testate and dispose of their effects, which they must have verified in our exchequer-chamber at Paris, by our commissioners of the treasury of France, and other our officers, with great pain and labour, otherwise their wives, children, or heirs, would be frustrated of their effects, and we make gifts of them as of foreign property, to their great grievance, prejudice, and damage: requiring us, by the said ambassadors and the *Sieur d'Aubigny*, that having this in regard, as well as the perpetual fellowship, confederacy, and alliance, between us and the said king of Scotland, our kingdoms and subjects, which hath been lately confirmed and sworn, our pleasure may be to grant general letters to all those of the said nation, and thereby to declare, that we hold, deem, and repute them in all things as true and original natives of our said kingdom, and fully impowered to testate and dispose of their effects; as also that, in case of their dying intestate, their children and other heirs may succeed them, and be enabled to hold all estates, offices, benefices, as any others in our said kingdom, and hereupon to impart unto them our grace.

Whereby we, the abovesaid things considered, and the good and indissoluble fellowship, confederacy and perpetual alliance which hath always subsisted, and doth still subsist between us and the said kings of Scotland, our respective kingdoms



and subjects, inviolably to be kept and observed, having regard to the signal services which the said kings of Scotland have heretofore done to our said predecessors, in the expulsion of our said enemies, to the great loyalty and fidelity which hath been always and invariably found in them, and those of their said nation, towards us, and particularly to the most signal, laudable and commendable service which our said good brother, cousin and ally, the present king of Scotland, is actually doing us, as it is notorious, that, in pursuance of our said friendship, fellowship, confederacy and alliance, he hath voluntarily declared for us against the king of England his brother-in-law, who is at present in our said kingdom; and, moreover, hath sent us succours and arms by sea, of great numbers of ships and men of war, which is so timely a service, as well requires that his subjects be for ever recommended and favoured in our said kingdom. For these, and other just and reasonable causes thereunto us moving, we have resolved to declare and ordain, and, by the tenor of these presents, do will, declare, ordain, and please, from our own knowledge, proper motion, special grace, full power and royal authority, that henceforth, perpetually, and for ever, all those of the said kingdom of Scotland, who shall reside, or come to reside, and shall hereafter decease in our said kingdoms, countries and seignories, of what station soever they be, or supposing they should be neither residents nor inhabitants in our said kingdom, countries and seignories, they shall be capable of acquiring therein all estates, seignories and possessions which they



may lawfully acquire ; and of them, together with those which they may have already acquired, to testate and dispose, by testament and order of latter-will, living donation, or otherwise, at their will and pleasure ; and that their wives and children, if they have any, or other their heirs, in what place soever they be residing, whether in our kingdom, or elsewhere, may, by testament or otherwise, take and inherit their estates and successions, as if they were natives of our said kingdom : and to those of the said nation, disposed to the church, shall be open all benefices and dignities secular or regular, with which they may be justly and canonically invested, by titles, collations, or provisions, (not derogating from the holy decrees of Basle, the pragmatic sanction, and the privileges of the Gallian church,) and they shall, in like manner, be able to dispose of their said property, as said is ; and that in all things those of the said nation be treated, favoured, held, deemed, and reputed, for ever, as true originals of our said kingdom : and to this end we have enabled, and do enable them, we have dispensed, and do dispense our grace, by these said presents, and that without their being obliged, for the abovesaid things, either now or hereafter, to take out particular letters of naturalization, and leave to testate, other than these presents, nor therefore to pay us any finances, which finances we have given and discharged, and do give and discharge them of our said grace, by these said presents signed under our hand, to whatever value they do or may amount : provided always that the said king of Scotland, and his suc-

cessors, shall grant and allow such and like privileges to our subjects in their said kingdom. And that this they may enjoy in form and manner as above, we do therefore give command, by these same presents, to our beloved and trusty the members of our courts of parliament at Paris, bailiffs, seneschals, and provosts of our kingdom, and to all our other justiciaries and officers, and to their substitutes, present and to come, to each and every one of them, that our present graces, privileges, ordinances, edicts, declarations and vouchsafement, they cause, suffer, and allow, those of the said nation of Scotland, plenarily and peaceably, as aforesaid, to enjoy and use ; ceasing, or causing to cease all lets and hinderances that may be made, given or offered to the contrary whatsoever. For such is our pleasure. Notwithstanding that the said finances of the said letters of naturalization are not here declared, let no discharge be levied by the cashier of our treasury, any ordinances, restrictions, commands or prohibitions whatsoever to the contrary notwithstanding. And whereas there may be occasion for these presents in divers and several places, it is our will, that, upon sight thereof, under the seal royal, credit be given as to this present original ; whereunto, that it may be a deed sure and stable for ever, we have caused our seal to be affixed, saving in all else our right, and that of others in all. Given at Amiens, in the month September, of the year one thousand five hundred and thirteen, and of our reign the thirteenth. Signed LEWIS. And upon the fold, by the king, the Cardinal de Prie, the Bishop of Paris, Mr. Pierre de

la Vernade master of the ordinary requests \* of the household, and by others present. Signed Gedoyne, and sealed with a great seal of green wax, pendant to a string of red and green silk.

*Letters-patents of King Henry II. containing the privileges of the Scots in France, in the year 1558.*

HENRY, by the grace of God, King of France, unto all present and to come, greeting.

Whereas, since the marriage heretofore proposed between our most dear and most beloved son the King Dauphin, and our most dear and most beloved daughter the Queen of Scotland Dauphiness, his consort, contracted, concluded, and confirmed, the deputies of the states of the said kingdom have, for and in the name of the said states, taken to our said son the oath of fidelity, as to their true and natural lord, which he is; in virtue whereof, being subjects of both kingdoms, (which have hitherto, and of a long time, cultivated a social communication, lived in mutual friendship and intelligence, favoured and assisted each other) by the union of the houses of France and Scotland, so closely connected that we esteem them as one and the same, and desire, for this cause, the better to establish, entertain, and invigorate this friendship between our said subjects, and those of the said kingdom of Scotland, and to give the said inhabitants of the latter kingdom the more opportunity of visiting their king and queen, when they

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\* Answering nearly to the English court of Greencloth.



shall be on this side, of residing near them, attending and serving them, as to good and faithful subjects belongs, to indulge and favour them with the graces and privileges which our own proper subjects enjoy : be it known that we, these things considered, and for several other great and reasonable causes thereunto us moving, have to all the inhabitants of the said kingdom of Scotland, subjects of our said son the King Dauphin, and of our said daughter his consort, permitted, granted, and vouchsafed, and do, by these presents, permit, grant, and vouchsafe, that they may at their ease, as oft as to them shall seem good, come, inhabit, and abide in this our kingdom, and therein accept, hold, and possess all and every the benefices, dignities, and offices ecclesiastical, with which they may be justly and canonically invested by due title, not derogating from the holy decrees, concordates, privileges, franchises, and liberties of the Gallican church, and thereof to take and seize possession and enjoyment, and to reap and receive the fruits, profits, and revenues, unto what sum soever they do or may amount : and, moreover, to acquire in this kingdom, country, lands, and seignories in our allegiance, all and every of the estates, moveable and immoveable, which they shall see meet, to have and to hold them, together with such as may devolve, redound, and belong to them, whether by succession, donation, or otherwise, and to order and dispose of them by testament, settlement of latter will, living donation, or in what other manner soever. And that their heirs, or others to whom they shall have disposed of them,



may be able to succeed to them, to take and seize possession and enjoyment of their said estates, just as they would and might do if they were originally natives of our said kingdom and country, without our solicitor-general, or other our officers having power henceforth to claim the estates as acquired to us by right of escheat, or the subjects of the said kingdom of Scotland, being in the enjoyment of those estates, brought to any molestation or trouble. And to all, as above, we have capacitated and dispensed, and do, by these presents, capacitate and dispense them, whether they have habituated in our said kingdom, country, lands, and seignories of our obedience, or in the said kingdom of Scotland, without their being bound on account thereof to pay unto us, or our successors, any finance or indemnity whatever; wherefrom, unto what sum, value, and estimation soever it doth or may amount, we have, in consideration of the above, acquitted and discharged, and do hereby acquit and discharge them, and thereof, in favour of our said daughter, have made, and do make a gift, by these presents under our hand; upon condition, that if, by reason of the said benefices, any law-suit should be raised, they shall cause none of our subjects to be brought or convened, except before such of our judges unto whom the cognisance shall belong. We do therefore give in command, by these same presents, unto our beloved and trusty the persons holding our courts of parliament, great council and exchequer at Paris, and to all those our bailiffs, seneschals, provosts, and other our justiciaries, or

their deputies, present and to come, and to every one whom it may concern, that our present grace, leave, licence, and permission, and all contained in these said presents, they make, suffer, and allow the said subjects and inhabitants of the said kingdom of Scotland, plenarily and peaceably to enjoy and use; ceasing and causing to cease all lets and hindrances to the contrary whatsoever. *For such is our pleasure.* Notwithstanding that the value of the said finance is here neither specified nor declared, that such gifts we have been wont to make only for the half or third of the regulations by us or our predecessors made in the order and distribution of our finances, and even that of the month of December last, wherein it is said, that all gifts, benefits, and rewards shall be paid by the treasurer of our exchequer; from which we have, by our full power and royal authority, derogated, and do derogate, and in the derogatories, by these presents, do abide, what other ordinances, restrictions, commands, and prohibitions soever to the contrary notwithstanding. And, forasmuch as there may be occasion for these presents in divers and several places, we will, that, upon sight thereof made under the seal royal, or duly collated by one of our beloved and trusty notaries and secretaries, credit be given as the present original; whereunto, that it may be a deed firm and stable for ever, we have caused our seal to be put and annexed; saving in all else our right, and that of others in all. Given at Villiers-courterets in the month of June of the year of grace one thousand

five hundred fifty-eight, and of our reign the twelfth.

*Extract of the registers of the parliament of Paris.*

The court having seen the king's letters-patents, in form of charter, given at Villiers-couterets in the month of June last past, subscribed by the hand of the said lord, and on the fold by the king de l'Aubespine; for the which, and the causes therein contained, the said lord vouchsafes, permits, and grants unto all the inhabitants of the said kingdom of Scotland, subjects of the King, Dauphin of France, son to the said lord the king, and of the Queen of Scotland, Dauphiness his consort, that they may with full liberty inhabit, come, reside, and remain in this kingdom, and therein hold and possess benefices and offices ecclesiastical, and there acquire whatever estates, moveable and immoveable, they shall see meet, as if they were originally natives of this kingdom, as is more fully set forth, in the said letters of the decree of the said court, communicated to the king's solicitor-general; his conclusions thereupon, and every thing considered, the said court hath ordained, and doth ordain, that the said letters-patents shall be read, published, recorded in the registers of this court, in order for the patentees to enjoy the effect hereof, so long as the kingdom shall be in the obedience, confederacy, and friendship of the king; provided always that the subjects of this kingdom shall be capable, as such, of enjoying like rights, privileges, goods, lands, and possessions, and of holding benefices and dignities

in the kingdom of Scotland. Done in parliament the eleventh day of July, in the year one thousand five hundred and fifty-eight. “Lecta, similiter publicata et registrata in camera compulorum domini nostri regis, audito procuratore generali prout in registro, 13tii Julii anno suprascripto.” Signed Le Maitre.

Read, published, and recorded in the register of the king's great council, the solicitor-general of the said lord, requiring it under the modifications contained in the register, and with the proviso, that the draught be renewed by those who shall be willing to avail themselves of the grant contained in these presents. Done at Paris, in council, the nineteenth of July, one thousand five hundred and fifty-eight. Signed Faure.

In consequence of these letters-patents, and this act of registration, the three estates of Scotland in parliament, assembled, in the month of November 1558, passed an act for naturalizing and granting the same privileges to all the French in Scotland; and a copy of those letters-patents was registered in the acts of the parliament of Scotland.

*Letters-patents of King Henry IV. bearing confirmation of the privileges of the Scots in France, in the year 1599.*

HENRY, by the grace of God, King of France and Navarre, unto all present and to come, greeting.

Whereas, since it hath pleased God to call us unto the sucession of this crown, we have had



nothing more at heart than to maintain the alliances and correspondences which we found that the kings our predecessors had made with the princes and potentates of Christendom for the public weal of our kingdom: we have taken especial care of the ancient confederacy and alliance long since contracted and religiously observed between our predecessor Kings, and the Kings of Scotland, for the mutual aid and assistance which they have got from each other upon occasions that have offered for the good of their respective states, people and subjects; and being that we have, moreover, a particular inclination to love our most dear and most beloved good brother and cousin James the VI. of the name reigning over the said country of Scotland, in consideration whereof, desiring, after the example of our other kings our predecessors, to make appear to our said good brother and cousin the said King of Scotland, that the continuance of his friendship is unto us dear and desirable, and to indulge those of the said nation with every instance of good-will, by imparting to them the graces and privileges whereof they have rendered themselves worthy, through the affection and fidelity which they have borne this crown: be it known, that, for the considerations abovesaid, and of our special grace, full power and royal authority, we have said, declared, and commanded, and do, by these presents, say, declare, and command, it is our will and pleasure, that the subjects of our said good brother and cousin the King of Scotland, who do inhabit, or shall hereafter reside in this our kingdom, be capacitated to accept, hold, and possess

all and every the benefices, dignities, and ecclesiastical offices with which they may be justly and canonically invested by sufficient title, nothing derogating from the decrees and concordates, privileges, franchises, and liberties of the Gallican church, thereof to take and seize the possession and enjoyment, and to reap and receive the said fruits and revenues, to what sums soever they do or may amount. And, moreover, to acquire for the future, in our said kingdom, countries, lands, and seignories of our said obedience, all and every the estates, moveable and immoveable, that they shall see meet, to hold and possess them, together with those that may fall, redound, or belong to them, whether by succession, donation, or otherwise, and to order and dispose of them by testament, destination, latter-will, living conveyance, or in what manner soever ; and that their heirs, or others, to whom they shall fall *ab intestat*, or otherwise, whether they be residing in our said kingdom, or whether they be in the said kingdom of Scotland, when the said succession or donation shall fall, may succeed to them, take and seize possession and enjoyment of their said estates, just as they would or might do, were they original natives of our said kingdom and country ; provided always, that they who shall testate, or decease intestate, be denizens ; without our solicitor-general, or other our officers, having any power to claim their said estates as our acquist by right of escheat, or the said subjects of the said kingdom of Scotland, meeting in the enjoyment of such estates with any sort of molestation ; without also the acts

and judgments heretofore passed contrary to the tenor of the said presents, being able for the future to hinder the effect hereof, or there being any occasion for the subjects of the country of Scotland to obtain any other dispensation or declaration than these presents ; and, as above, we have enabled and dispensed, and do, by these presents, enable and dispense them, without their being obliged, on account thereof, to pay us, or our successors, any finances or indemnity, from which, unto what sum, value, or estimation soever it doth or may amount, we have, in consideration of the above, acquitted and discharged, and do acquit and discharge them, by these presents, signed with our own hand ; upon condition, that if, by reason of the said benefices with which the said Scots may be provided, there arise any suit or contention, they shall not cause any of our subjects to be brought or convened, but before such of our judges unto whom the cognizance shall belong. We do therefore give in command, to our beloved and faithful the persons holding our court of parliament, great council, and chamber of accompts at Paris, treasurers general of France, and all our bailiffs, seneschals, provosts, and other our justiciaries and officers, or their deputies, present and to come, and unto every one of them as it shall respectively concern him, that our present grace, leave, licence, and permission, and all in these said presents contained, they cause, suffer, and allow the said subjects and inhabitants of the said kingdom of Scotland to enjoy and use, plenarily and peaceably, ceasing and causing to cease all hinderances and

molestations to the contrary whatsoever. *For such is our pleasure.* Notwithstanding that the value of the said finance is not there specified and declared, that such gifts have been wont to be made only for the half, or the third of the ordinances by us, or our predecessors, issued upon the order and distribution of our finances; from which we have, of our full power and royal authority, derogated, and do derogate, and from the derogatories therein contained, and the ordinances, restrictions, commands, and prohibitions to the contrary whatsoever. And, forasmuch as these presents may be wanted in divers and several places, it is our will, that, upon sight hereof under our seal royal, or duly collated, credit be given as to the present original; unto which, that it may be a deed firm and stable for ever, we have caused our seal to be affixed: saving in all else our right, and that of others in all. Given at Fontainebleau in the month of March, and year of grace one thousand five hundred and ninety-nine, and of our reign the tenth. Signed HENRY. And upon the fold, By the king from Neufville, on one side *visa*, and sealed in a lace of red and green silk, with the great seal in green wax, registered in presence of the king's solicitor-general; provided always that the Scots, who are not denizons, shall have no power to succeed those who shall reside in this kingdom; and the said Scots, residing in this kingdom, shall not be deprived of the said letters upon quitting the said residence. At Paris, in parliament, the last day of July, one thousand five hundred and ninety-nine. Signed Du Tillet. A collated extract from the registers and royal



ordinances registered in parliament. Signed Voisin, with a paraph.

*Extract of the records of parliament.*

This day the court having seen the letters given at Fontainebleau in the month of March last, signed HENRY, and upon the fold, from Neufville, and sealed with the great seal in green wax, in a lace of red and green silk, whereby, for the causes there contained, the said lord wills, that the subjects of the King of Scotland, who inhabit and reside, or shall hereafter inhabit and reside in this kingdom, have power to accept, hold, and possess all and every the benefices, dignities, and offices ecclesiastical with which they may be lawfully invested, not derogating from the holy decrees, privileges, and liberties of the Gallican church; and, moreover, in this said kingdom, to acquire all and every the estates, moveable and immoveable, to hold and possess them, together with those that may fall and pertain to them whether by succession, donation, or otherwise; and to order and dispose of them by testament, settlement, and latter-will, and otherwise, in what manner soever; and that their relations, and others to whom they shall have disposed of them, and to whom they shall fall *ab intestat*, or otherwise, whether they be resident in this kingdom, or in the said country of Scotland, when the said donation or succession shall fall, may be able to succeed to them, take and seize the enjoyment of their said estates, just as though they were originally natives of the said kingdom; provided that

the testators, or those who shall decease intestate, be denizons, as is more at large contained in the said letters and conclusions of the king's solieitor-general. The matter being taken into deliberation, the said court hath decreed and ordained, that the said letters shall be here registered in presence of the king's solicitor-general, without the Scots who are not denizons having any power to succeed to those who shall reside in this kingdom. And the said Scots residing in this kingdom shall not be deprived of the benefit of the said letters upon quitting the said residence. Done in parliament the last day of July, in the year one thousand five hundred and ninety-nine. Signed Voisin, with a paraph.

*Letters-patents of Lewis XIII. to confirm the privileges of the Scots in France, in the year 1612.*

LEWIS, by the grace of God, King of France and Navarre, unto all present and to come, greeting. Our predecessor kings, even the late King Henry the Great, our most honoured lord and father, (whom God absolve) by his letters-patents of the year one thousand five hundred and ninety-nine, verified in our court of parliament at Paris, willed and commanded, for several weighty considerations therein contained, that those of the Scottish nation, who should inhabit and reside hereafter in this our kingdom, should have power to accept, hold, and possess all and every the benefices, dignities, and offices ecclesiastical, with which they might be justly invested, to take the posses-

sion, fruits and revenues of them, to acquire in the said kingdom, country, and lands, and seignories of our obedience, all estates, moveable and immoveable, to have and to hold them, together with those that might fall to them by testament, donation, or otherwise, just as they might do, were they original natives of our said kingdom, upon such conditions, and in such sort as is more at length set forth and specified by the said letters and verification thereof. In consequence whereof, our most dear and well beloved William Morison, a Scotsman, son to John Morison and Elizabeth Gray, also Scots, his father and mother, resident, during their life, in the city of Glasgow, having afterwards retired from the said country, and dwelt thirty years in our cities of Rouen and Dieppe, hath caused most humble petition and request to be made unto us, that he may be enabled to enjoy the tenor of the said letters, under the benefit and grace of which he hath quitted the said country, in order to live and die in this our kingdom: **BE IT KNOWN**, that, willing to preserve and maintain the subjects of the kingdom of Scotland, in the franchises, privileges, and liberties to them conceded by our said predecessors, and, after their example, favourably to treat them, unto this same William Morison, for these and other causes thereunto us moving, in consequence of the said first letters, the copy whereof, extracted by the recorder of our said court of parliament at Paris, is here annexed under the great seal of our chancery, we have permitted and granted, of our special grace, full power and royal authority, we do permit and

grant, it is our will and pleasure, that, conformably to the said letters and verifications thereof, he may resort and reside in this our kingdom, country, lands, and seignories of our obedience, there to acquire all and every such estates, moveable and immoveable, as he shall see meet, to hold and possess them, together with those that may fall, redound, and pertain to him, whether by succession, donation, or otherwise; and to order and dispose of them by testament and destination of latter-will, living donation, or in what manner soever: and that his heirs, or others to whom they shall fall *ab intestat*, or otherwise, whether they be resident in our said kingdom, or whether they be in the said country of Scotland, when the said succession or donation shall fall, may be able to succeed to him, to take and seize possession and enjoyment of the said estates, just so as they would or could do, if they were original natives of our said kingdom and country, provided they shall be denizens; and that without our solicitor-general, or other our officers, having power henceforth to claim their said estates to us acquired by right of escheat; nor likewise shall any thing, done to the contrary of the tenor of these presents, have power for the future to hinder the effect hereof, or shall there be any need for him to obtain any dispensation or declaration, other than these presents; and to all, as above, we have enabled and dispensed, and do, by these said presents, enable and dispense him, without his being obliged, on account thereof, to pay unto us, or our successors, any finance or indemnity; from which, unto whatever value or estimation it



doth or may amount, we have, in consideration thereof, as above, acquitted and discharged, and do, by these presents, acquit and discharge him: we do therefore give in command, to our beloved and trusty counsellors the persons holding our courts of parliament, commissioners of our accompts at Paris and Rouen, treasurers general of France, at Paris and Rouen, or their deputies, or to each of them in their right, themselves first hereto required, and to all other our bailiffs, seneschals, provosts, and other our justiciaries and officers, or their deputies, present and to come, and to each of them whom it shall respectively concern, to cause these presents to be registered, and the tenor thereof to be enjoyed and used plenarily and peaceably by the said William Morison and his successors; ceasing and cause to cease all molestation and hinderances to the contrary whatsoever. *For such is our pleasure.* And to the end that it may be a thing firm and stable for ever, we have caused our seal to be put to these said presents, saving in all else our right, and that of others. Given at Paris, in the month of October, the year of grace one thousand six hundred and twelve, and of our reign the third. Signed LEWIS. And counter-signed by the King, the Queen-regent his mother present: and this our copy, signed Potier, in paraph; on the side, contents signed Poulsepin, in paraph, and below *visa*; and sealed with the great seal of green wax in fillet of red and green silk.

*Extract of the registers of the parliament of Paris.*

Registered in presence of the king's solicitor-general, towards the patentee's enjoying the effect and tenor hereof, with proviso that the said patentee shall be bound to obtain and procure, for the said lord paramount, a brief from our holy father the Pope, within six months next coming, whereby his holiness shall grant, that, upon the falling of any vacancy by death, resignation, or otherwise, of the benefices with which he may be invested in this kingdom and country, being in the nomination and presentation of the said lord paramount, there shall be no investiture thereunto by his said holiness, without the nomination, request or consent of the said lord the king; and, that on account of the said benefices, he shall not cause any of the king's subjects to be brought or convened before the court of Rome, so if, by reason thereof, any law-suit commence, he shall prosecute them in this said kingdom, before the judges to whom the cognizance shall belong: and, moreover, with proviso that the patentee shall not be capable of being invested with any bishopric, archbishopric, or abbey of chief order, nor other vicarages, in form of the said benefices with which he may be invested in this kingdom as a natural subject of France. At Paris, in parliament, the fifteenth day of December, one thousand six hundred and twelve. Signed Du Tillet; a seal and paraph. And, upon the said fold is also wrote, recorded in the register of the treasury, the king's solicitor-general thereunto

consenting, in order for the patentee to enjoy the effect and tenor hereof, upon the terms and conditions set forth by the act of court. Done at Paris, the twentieth of December, one thousand six hundred and twelve. Signed L'Annier in paraph.

*Act of King Lewis XIV.'s council of state, in favour of the Scots in France.*

Whereas it hath been represented to the King in his council, the Queen-regent his mother present, that, in the year seven hundred fourscore and nine, Charlemagne reigning in France, and Achaius in Scotland, the alliance and confederacy having been made between the two kingdoms, offensive and defensive, of crown and crown, king and king, people and people, as is set forth by the charter called the Golden Bull, it should have, until this present, continued without any interruption, and been ratified by all the Kings successors of the said Charlemagne, with advantages and prerogatives so peculiar, that not only are the Scots in capacity of acquiring and possessing estates, moveable and immoveable, and benefices in France, and the French in Scotland, without taking out any letters of naturalization; but also it should have been granted to the said Scots, to pay only the fourth part of the duties upon all goods which they transport to the said country of Scotland; a privilege which they have ever enjoyed, and do enjoy at this day: that even whatever rupture there may have been between the crowns of France and England, since the union of the kingdom of

England with that of Scotland, the French have been nevertheless still treated by the Scots as friends and confederates, and particularly in the year one thousand six hundred twenty-six, when the French in Scotland, and the Scots in France, had a reciprocal replevy of their merchandises, while those of the French in England, and those of the English in France were confiscated; and that there never hath been made any difference or distinction in this kingdom, between his Majesty's natural subjects and the said Scots: wherefore the late King of happy memory, having, by his declaration in the month of January, one thousand six hundred thirty-nine, commanded that taxes should be laid upon all foreigners of his said kingdom, his Majesty should have, by an act of his council of the eleventh of May in the said year, exempted and discharged all Scots residing therein, their children, descendants, and heirs, from all taxes laid, or to be laid upon the said foreigners. In consequence of the said declaration, acts and rolls of taxes expedited thereupon, willing that, if any Scot had been there comprehended, whether in the city of Paris, or in others of this kingdom, they should be freed without difficulty in virtue of the said acts; the said letters of declaration, acts, or ought else, to the contrary notwithstanding. In prejudice whereof, those who have raised the taxes ordained to be laid upon all foreigners residing in this said kingdom, in virtue of the letters of declaration of the month of January last, had not forbore to comprehend, in the rolls which they caused to be expedited in execution thereof, some



individuals of the Scottish nation amongst other foreigners, without expressing their country and quality; which being absolutely contrary to the intention of his Majesty, who wills and means to entertain inviolably the said confederacy and alliance with the said Scots, and to maintain them in all the rights, privileges, and prerogatives, unto them granted by the kings his predecessors, and which he hath ratified since his accession to the crown: the king being in council, the queen-regent his mother present, hath discharged, and doth discharge, all the Scottish gentlemen residing in his said kingdom, from the tax laid upon them in quality of foreigners: their majesties give prohibition to all bailiffs and sergeants to constrain them on account thereof, on pain of a thousand livres of fine, and of all costs, damages, and interests. And for the other Scots, his majesty hath superseded payment of the said taxes for three months, during which time his majesty prohibits their being constrained, if there is not some private stipulation made by them to the contrary. Done in the king's council of state, his majesty being there, and the queen-regent his mother present, held at Fontainebleau, the nineteenth of September, one thousand six hundred and forty-six. Signed Le Tellier.

*Privileges of the Scottish merchants trading in France,  
granted by King Francis I. in 1518.*

FRANCIS, by the grace of God, King of France.  
Be it known to all present and to come, that we  
mean to treat favourably the subjects of our most

dear and most beloved brother, cousin, and ally, the king of Scotland, in favour of the great and ancient alliance subsisting between us and him, and of the great and commendable services which those of the Scottish nation have done to the crown of France: for these causes, and in order to give them greater occasion to persevere therein, and for other considerations thereunto us moving, in token also of our inclination to the request of our most dear and most beloved cousin the duke of Albany, regent and governor of Scotland, we have all and every the Scottish merchants, who are and shall be hereafter trading, frequenting and conversing in this our kingdom, freed, acquitted, exempted, and do, of our special grace, full power and royal authority, free, acquit, and exempt, by these presents, signed with our hand, in perpetuity and for ever, from the new impost of twelve French deniers per livre, raised in the city of Dieppe upon foreign merchandise, beside the sum of four French deniers per livre, which hath been anciently collected and raised upon the said foreign merchandise. We do therefore give in command, by these same presents, to our beloved and trusty the commissioners of our exchequers and treasurers of France, and to all our other justiciaries and officers, or to their deputies present and to come, and to every one of them, so as it shall concern him, that our present grace, immunity, discharge, and exemption, they cause, suffer, and allow, the said Scottish merchants, and their successors, who are and shall be trading and frequenting in our said kingdom, to enjoy and use, plenarily and peaceably, perpetu-

ally and for ever, without giving, or suffering to be given them, any manner of disturbance or impediment; for such is our pleasure; whatsoever enactings, restrictions, commands, or prohibitions to the contrary notwithstanding. And to the end that this be a deed firm and stable for ever, we have caused our seal to be put to these said presents, saving in all else our right, and that of others in all. Given at Amboise in the month of May, and year of grace, one thousand five hundred and eighteen, and of our reign the fourth.

*Privileges of the Scottish merchants trading in France, granted by King Henry II. in 1554.*

HENRY, by the grace of God, King of France, to our beloved and trusty counsellors the persons holding our court of parliament at Rouen, the commissioners of our exchequer at Paris, the inspectors general of our finances and supplies, port-masters at the said Rouen, and to all our other justiciaries and officers, or their deputies, whom it shall concern greeting. We liberally inclining to the request which hath been made us by our dearest and most beloved daughter the queen of Scotland, for her subjects in the said country, and several other considerations thereunto us moving, in order to remove all the difficulties which you and every one of you might make, of causing the subjects of our said daughter in the said country of Scotland, to enjoy our letters of exemption and ampliacion here annexed under our counter-seal, and to put a final end thereunto, we have, by amplifying and



interpreting the same, said, declared and ordained, and do, of our own accord, certain knowledge, special grace, full power, and royal authority, say, declare and ordain, that, by our said letters hereunto annexed, as said is, we have intended, and do intend, that the subjects of the said country of Scotland shall not be bound to pay for the commodities which they shall take and carry out of our country and duchy of Normandy, the cities, towns, and havens thereof, whatsoever they be, if designed for the said country of Scotland, other or greater subsidies and duties than they have heretofore been wont to pay, and did pay in our city of Dieppe, at the time of the edicts by us issued concerning the collection of our foreign duties: and, so long as trade is, or shall be, we have exempted, acquitted, and freed them, and do, of our grace and authority, as above, exempt, acquit, and free them from the surplusage of the said duties, and unto what sum soever they may amount, over and above what they have anciently been wont to pay our city of Dieppe, although they be not above specified by these said presents; whereby we command you, and every one of you respectively, as it shall concern him, we give commission and express injunction to cause these our said letters and presents to be read, published and registered, and the contents thereof, our said daughter's subjects, plenarily and peaceably to enjoy, without, on occasion of our said edicts, causing, or suffering to be caused, made, or given them any molestation, disturbance, or impediment, to the contrary whatsoever; according to what, by our said letters here



annexed, as said is, you are commanded to observe; for such is our pleasure; notwithstanding the said edicts, by us and our predecessors made about the receipt of the said duties, from which, this purpose, and without prejudicing them in other respects, we have derogated, and do derogate, and from thence exempted, and do exempt the said subjects of Scotland, by these said presents, which to this end we have signed with our hand. Given at Paris, the third day of February, in the year of grace one thousand five hundred and fifty-two, and of our reign the eighth.

Ratified and approved wherever it hath been necessary.

*Confirmation of the privileges of the Scottish merchants trading in France, granted by King Henry IV. in 1599.*

HENRY, by the grace of God, King of France and Navarre, unto all present and to come, greeting. Whereas the late King Francis I. our most honoured sire and grandfather, by his letters-patents, in charter-form, of the month of May one thousand five hundred and eighteen, desiring, for several good considerations, well and favourably to treat the subjects of the kingdom of Scotland, in favour of the great and ancient friendship and alliance which subsisted between the two kingdoms, and of the great and commendable services which those of the Scottish nation had done to the crown of France, should have freed, quitted and exempted all the Scottish merchants, trading, frequent-

ing and dealing in this kingdom, from the foreign impost of twelve French deniers for each livre, then raised in our city of Dieppe upon merchandise, besides four French deniers for each pound of ancient foreign demesne : and since, upon the complaint that the said Scottish merchants had made to the late King Henry II. our most honoured sire and father, (whom God absolve,) that, under pretext of a new edict upon foreign duties, the officers thereof in our city of Rouen had constrained them to pay twenty deniers a livre for the new foreign impost, he should have, by other letters-patents in charter-form, of the month of October, in the year one thousand five hundred fifty-four, by amplifying the said first exemption, ordained that the said Scottish merchants should not be obliged to pay, on account of the commodities which they should bring and carry out of our said country of Normandy, or any towns whatsoever thereof, designed for the said country of Scotland, any other duties and subsidies than they had been of old wont to do, and did at the time of issuing the said new edicts made concerning the receipt of foreign duties and demesnes ; as is contained more at large in the said letters verified where need hath been : and also, by other letters-patents, he should have declared to have meant, that the subjects of the said country of Scotland should not be bound to pay for the goods they should bring and carry out of our said country of Normandy, cities, towns, and harbours thereof, designed for the said country of Scotland, other or greater subsidies and duties than they had before

been wont to pay, and did pay in our city of Dieppe, at the time of the edicts by us made relating to the receipt of our duties of foreign impost. But whereas, on occasion of the troubles which have prevailed in this kingdom, especially within these ten or twelve years past, things have been so altered, and the privileges of the Scottish merchants so enervated, that, if we were not pleased to continue and confirm the same to them, they feared therein to find obstacles and difficulties which might deprive them of the benefit of the grace that hath been unto them granted and continued by the said kings our predecessors: be it known, that we desire no less favourably to treat the said Scottish merchants, than the said kings our predecessors have done, as well in consequence of the ancient alliance and confederacy which subsists between this kingdom and that of Scotland, as for the friendship and good correspondence which subsisteth between us and the king of Scotland, James VI. of the name, our most dear and most beloved good brother and cousin, now reigning in the said country; we have, of our special grace, full power and royal authority, said, declared, and ordained, do, by these presents, say, declare, and ordain, it is our will and pleasure, that the said Scottish merchants, trading, frequenting, and conversing, in this our said kingdom, enjoy for the future, in our whole said country and duchy of Normandy, the same franchises, privileges, and immunities, from foreign customs and imposts, and after the same sort and manner that they enjoyed them in the days of the Kings Francis and Henry, our



most honoured grandfather and brother-in-law, until the renewal of the said last troubles, that, by the injury of the times, their enjoyment of them hath been impeded : the which franchises, privileges and immunities, for the considerations above-said, and of our grace, power, and authority, as above, we have confirmed, and do confirm to them, by these said presents, therefore signed by our hand, for the commodities which they shall bring and carry out of our said country and duchy of Normandy, cities, towns, and harbours thereof whatsoever, designed for the said country of Scotland. We do therefore give in command, to our beloved and trusty the persons holding our court of parliament at Rouen, commissioners of our accounts and supply in the said country, treasurers general of France in the said Rouen, port-masters in the said place, or their deputies, and to all other our justiciaries and officers, or their substitutes, whom it shall concern, that the tenor of these presents they cause, suffer, and allow, the said subjects, Scottish merchants, to enjoy and use, plenarily and peaceably ; ceasing, and causing to cease, all molestations and impediments to the contrary whatsoever ; and to cause this to be suffered, and to return and restore to them hereafter their effects and commodities, if any on account thereof should be taken or arrested, that they constrain, and cause to be constrained, our officers of foreign trade, by all due and lawful methods, any oppositions or appeals whatsoever notwithstanding ; and producing these presents, or a *vidimus* thereof, made under the seal royal for once only, we will,



that our receivers of the said foreign duties be held acquitted and discharged thereof by the commissioners of our said accompts in Normandy, whom we warrant so to do, without difficulty or hesitation. And whereas there may be occasion for these presents in several different places, it is our will, that to the copy thereof, duly collated, credit be given as to the present original, whereunto, in witness hereof, and to the end that it be a deed firm and stable for ever, we have caused our seal to be put and affixed, saving in all else our right, and that of others in all. For such is our pleasure. Given at Fontainebleau in the month of March, of the year of grace one thousand five hundred and ninety-nine, and of our reign the tenth. Signed HENRY; countersigned, by the king at Neufville, and sealed in a silk string with the great seal of green wax.

From a copy collated with the original on parchment, by a clerk of the court of parliament of Rouen, the 27th of April, 1599.



AN  
ACCOUNT  
OF THE  
EXPEDITION

OF

*William the Ninth Earl of Glencairn,*

AS

GENERAL OF HIS MAJESTY'S FORCES

IN THE

*Highlands of Scotland,*

IN THE YEARS 1653 AND 1654.

WRITTEN

BY JOHN GRAHAM OF DEUCHRIE,

*Who was Eye and Ear-witness to all that passed from first to last.*

CONTAINING A VARIETY OF PARTICULARS

NOT TAKEN NOTICE OF BY ANY HISTORIAN.

ACCOUNT

OF THE

EXPEDITION

TO THE NORTH POLE, IN 1825, BY

ADAM BECKETT, ESQ.

OF THE

ARMY OF GREAT BRITAIN

AND OF THE

ROYAL NAVY

IN THE YEAR 1825, BY

ADAM BECKETT, ESQ.

OF THE

ARMY OF GREAT BRITAIN



AN

## ACCOUNT, &c.

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THE earl of Glencairn went from his own house of Finlestone in the beginning of the month of August, 1653, to Lochearn, where several of the clans did meet him, viz. the earl of Athol, Mac-Donald of Glengarie, Cameron of Lochyell, ordinarily called MacEldney, John Graham of Deuchrie, Donald MacGregour, tutor of MacGregour Farquharson of Inverey, Robertson of Strowan, MacNachtane of MacNachtane, Archibald lord Lorn, afterwards earl of Argyle, colonel Blackader of Tullyattan.

These gentlemen, after some few days consultation with his lordship, did promise to bring out what forces they could with all expedition.

My lord, notwithstanding, did lie to and from the hills, not having any with him but the writer of this, and three servants, for the space of six weeks.

The first forces that came to him here, were brought by John Graham of Deuchrie: they were forty footmen. Within two or three days after came Donald MacGregour the tutor, with eighty footmen.

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My lord general with this force came to John Graham of Deuchrie's house, where, within some few days, my lord Kenmure came with forty horsemen from the west : colonel Blackader also came, with thirty horsemen, which he had gathered together in Fifeshire. The laird of MacNachtane came with twelve horsemen : there was between sixty and eighty of the Lowlandmen that were not mounted on horses, but were very well provided in their arms : they were commanded by captain James Hamilton, brother of the laird of Milntown, and were called to a nickname *Gravats*.

Colonel Kidd, governor of Stirling, being informed that the king's forces were come so near him, did march with the most part of his regiment of foot, and troop of horse, to a place called Aberfoyle, within three miles of the place where my lord general did lie, who having intelligence thereof, did march with the small force he had, to the pass of Aberfoyle ; and drawing up his forces within the pass, did distribute his footmen on both sides thereof, very advantageously ; and the horse which were commanded by lord Kenmure, were drawn up on the wings of the foot. He gave orders that captain Hamilton, who commanded the Lowlandmen, called *Gravats*, with Deuchrie's men, should receive the first charge, which they did very gallantly ; and at the very first encounter, the enemy began to retire back. The general perceiving the same, did command the Highland forces to pursue, as also lord Kenmure with the horse he had. The enemy began, upon this, downright to run ; they were pursued very hard ; they

lost on the spot about sixty, and about eighty were killed in the pursuit: no prisoners were taken.

My lord general having succeeded so well, from all places men did daily come in to him. We then marched to Lochearn, and from that to Loch-Rannoch, where, at the hall in the isle of Loch-Rannoch, the clans met him. In the mean while, he was very busy in dispatching men to the Lowlands, giving them commission for taking horses, for raising men, and for carrying off all the arms they could find.

The clans who met him at Loch-Rannoch brought their forces with them: the laird of Glengarie brought three hundred very pretty men: the laird of Lochyell brought four hundred Lochaber-men: the tutor of MacGregour had then about two hundred men with him.

Sir Arthur Forbes, and Gerard Irvine his lieutenant-colonel, with several other officers, came with about eighty men on horseback. The earl of Athol came with a hundred horse, and with a regiment of brave foot, consisting of near one thousand two hundred men, commanded by Andrew Drummond, brother german of Sir James Drummond of Machany. He was the earl of Athol's lieutenant-colonel.

These noble persons were ordered to give commission to captains, and other inferior officers, to go to the Lowlands, for levying what men they could. We then marched down to the skirts of the Lowlands, near the Marquis of Huntly's bounds, where several gentlemen joined us.

The laird of Inverey rendezvoused in Cromar, for the raising of a regiment. General-major Morgan, who was lying at Aberdeen, being informed of the day of rendezvous in Cromar, did draw out of several garrisons two thousand foot, and one thousand horse and dragoons, with which he marched day and night before the day of rendezvous; and we not having intelligence of his march, he fell upon our outer guards, and that so hotly, that our forces had much ado to get drawn up; and if it had not been for John Graham of Deuchrie, with about forty men who fired upon the enemy, some of our own men being amongst them, and having killed the officer who commanded the party of the enemy who had entered the glen before us, this put them into some confusion, and made them stand a little.

In the mean time lord Kenmure, who commanded the van, marched at a great rate. Our foot took the glen on both sides. This glen leads to the laird of Grant's ground of Abernethy wood. Morgan now having got up his foot, ordered them to march on both sides of the glen after our foot, he himself charging at the mouth of the glen. My lord general, who was in the rear, was desired to change his horse, but he would not, though the nag he rode on was not worth £100 Scots. The gentlemen who attended on my lord general, were the laird of MacNachthane, Sir Mungo Murray, who killed one of the enemy's officers as they entered the pass, Nathaniel Gordon, a brave gentleman, major Ogilvie, captain Ochtrie Campbell, captain John Rutherford, who wants the leg, colo-



nel Blackader, the laird of Glengarie, with several other gentlemen of repute, whose names I cannot now remember. The glen was so strait for the horses, that only two could march a-breast, and sometimes only one. The enemy pursued so hotly, that they fought on foot as often as on horseback. We had eight miles to travel through the glen, before we could reach the laird of Grant's ground, and the enemy did not give over the fight, till night parted us.

Morgan lay in the glen all that night; and the next morning he marched down through the Cromar, and from thence to Aberdeen.

After this we lay in that country and in Badenoch, for near five weeks. Lord Kenmure was sent with a hundred horse to the shire of Argyle, to bring up what forces lord Lorn had gathered. He had mustered one thousand foot, and about fifty horse, who marched and joined us in Badenoch, where he remained with us about a fortnight; but being some how discontented, he marched home with his men on the 1st day of January, 1654.

My lord general having intelligence of his desertion, ordered the laird of Glengarie, with Lochyell, and so many horse as could be conveniently spared, to pursue him, and bring him back with his men, or otherwise to fight him. Lorn marched straightway for the castle of Ruthven in Badenoch, a house belonging to the marquis of Huntly, wherein there was a garrison of English soldiers; but Glengarie being very eager in the pursuit, overtook him before he got within half a mile of the castle. Lord Lorn seeing this, slipped off with what horse

he had, leaving his foot to the mercy of Glengarie and his men. He presently commanded a party of horse to follow Lorn, who could not overtake him ; but they brought back about twenty of his horsemen. His footmen were drawn up on a hill, where they beat a parley, and engaged to serve the general for behalf of his majesty.

Glengarie was not quite satisfied with their answer, but was inclined to fall upon them, for he had still a grudge against them, since the wars of the great Montrose. My lord general by this time coming up, and hearing of the offer they had made, ordered one to go to them, and inform them, that he would accept of no offer from them, till they lay down all their arms ; upon which they immediately gave them up.

The general then went up to them, with several of his officers, and they all declaring they were willing to engage in his majesty's service, under his lordship, he caused both officers and soldiers, each of them, to take an oath to be faithful to his majesty ; which they very readily did, and then their arms were restored to them : but within a fortnight thereafter, neither officers nor soldiers of them were to be seen with us : and we heard no more of lord Lorn, nor any of his men since that time.

There was one colonel Vaughan, or Wagan, who came from England by Carlisle, and joined us with near a hundred gentlemen on horseback, well mounted and armed. The colonel himself was unfortunately killed in a rencounter he had with the brazen-wall regiment of horse ; but not-

withstanding of the deadly wounds he had received, he rooted the troop, and killed the commander thereof, though it was said, that in all the civil wars they never had been beat. This brave gentleman had his wounds healed over : but from what cause I know not, they broke out again, and occasioned his death, to the great regret of all who knew him.

We being now a considerable body, both of horse and foot, by reason of the great numbers of new levied men that came in daily to us, the general, with advice of the officers, thought it fit to march down to the Lowlands, in the shire of Aberdeen : so we went by Balvenie, and from thence to a place called Whitelums, near to which was a garrison of the enemy in the castle of Kildrummie, a house belonging to the Earl of Mar. Morgan not daring to come out to us, knowing our army was full as good as his own ; after that we had been in this country a fortnight, we marched for the shire of Murray, where we remained near a month. Our head quarters was at Elgin.

The English had two garrisons in Murrayshire, one in Burgie castle, and the other in Calder ; but notwithstanding of both, we got no hurt from them, but had very good quarters, and made ourselves merry all the time we were there. We had wasted the Highlands by reason of our long tarrying there. The marquis of Montrose, son of the great Montrose, joined the general at Elgin, with near thirty gentlemen ; also the lord Forrester, with a few men, and one *little* major Strachan.

The general having received letters from my

lord Middleton, advising him of his arrival in Sutherland, with several other officers sent by his majesty, viz. Major-General Monro, to command as lieutenant-general of horse and foot, Dalziel, to command as major-general of horse and foot, and Drummond, as major-general of foot : lord Napier was to have a regiment. There were several other gentlemen who came over as officers in the same ship.

The lord general immediately ordered the army to march to Sutherland. Morgan having intelligence, marched upon our rear, and as we marched we had many hot skirmishes with him. Our general was always present and in action ; and always, when necessary, ordered fresh parties to relieve those that stood in need of assistance. This skirmishing lasted for the space of two days and two nights.

We sat down before the house of the laird of Lethen, whose name was Brodie, who held it out for the English. Our general sent and ordered him to deliver up the house for the king's service, which he refused ; and on the approach of our men, he fired out on them, and killed four or five of them. The general being incensed at this, ordered the soldiers to pull down several stacks of corn, with which he filled the court and gates of the house, which being set on fire, he judged the smoke would stifle them, the wind blowing it into the house : but it took not the effect he expected ; for they still held out the house, and we lost other three or four men more ere we marched the next morning.



The general ordered all Lethen's land and stack-yards to be burnt, which was accordingly done ; and these were the only orders he gave for burning during all his command.

We then marched straightway for a pass that lay eight miles above Inverness ; and having got to that pass, our army crossed the water of Inverness : the whole horses were made to swim, and the men passed in boats. Here we kept a strong guard, and our army lay for the space of six weeks quite safe up and down the country of Sutherland, the English having no garrison in that country.

The lord general immediately set out for Dornoch, to receive lord Middleton's commands, who was to be general in chief ; and, after five or six days rest, lord Middleton ordained that there might be a general rendezvous of the whole army, that so he might see what the men were, both as to their arms, mounting and numbers.

The army was accordingly mustered upon a Saturday in the middle of March ; their number amounted to 3500 footmen, and 1500 horsemen. Of the horsemen there would have been about 300 that were not well horsed nor well armed.

There was an English pink cast in by stress of weather, on the coast of Sutherland ; she was loaded with near forty tons of French wine. General Middleton distributed this among the officers of the army ; and he gave to the earl of Glencairn one ton thereof.

The army being drawn up again, according to the former order, the earl of Glencairn passed along the front of all the regiments of horse and

foot, and informed all the officers and men as he went along, that he had no further command now but as a private colonel, and that he hoped they should be very happy in having so noble a commander as the present general, and the officers under him; and so he wished them all well. Those who saw this could easily perceive how very unsatisfied the soldiers were, by their looks and countenance; for several, both officers and soldiers, shed tears, and vowed that they would serve with their old general in any corner of the world.

When this ceremony was over, the earl of Glencairn invited the general with all the general officers and colonels, to dine with him. His quarters were at the laird of Kettle's house, four miles south from Dornoch, the head quarters. They were as well entertained by his lordship as it was possible in that country. The grace said, and the cloth withdrawn, his lordship called for a glass of wine, and then addressed the general in these words: "My lord general, you see what a gallant army these worthy gentlemen here present and I have gathered together, at a time when it could hardly be expected that any number durst meet together; these men have come out to serve his majesty, at the hazard of their lives, and of all that is dear to them: I hope therefore you will give them all the encouragement to do their duty that lies in your power." On this, up started Sir George Munro from his seat, and said to lord Glencairn, "By G—, my lord, the men you speak of are nothing but a number of thieves and robbers; and ere long I will bring another sort of men to the field." On which

Glengarie started up, thinking himself most concerned; but lord Glencairn desired him to forbear, saying, "Glengarie, I am more concerned in this affront than you are;" then addressing himself to Monro, said, "You, Sir, are a base liar; for they are neither thieves nor robbers, but gallant gentlemen, and good soldiers."

General Middleton commanded them both to keep the king's peace, saying, "My lord, and you Sir George, this is not the way to do the king service; you must not fall out among yourselves; therefore I will have you both to be friends;" and immediately calling for a glass of wine, said, "My lord Glencairn, I think you did the greatest wrong in giving Sir George the lie; you shall drink to him, and he shall pledge you." The noble and good lord Glencairn accordingly took his glass, as ordered by the general, and drank to Sir George; who, in his old surly humour, muttered some words, which were not heard, but did not pledge his lordship.

The general gave orders to sound to horse; and lord Glencairn went out in order to accompany him to the head-quarters; but the general would not allow him to go above a mile of the way. His lordship then returned back, having none in his company but colonel Blackader and John Graham of Deuchrie. When arrived, he became exceeding merry, causing the laird's daughter play on the virginals, and all the servants about the house to dance. Supper being now ready and on the table, as my lord was going to set down, one of the servants told him, that Alexander Munro, Sir

George's brother, was at the gate. My lord immediately commanded to let him in, and met him at the hall-door, where he saluted him, and made him very welcome, saying, "You see, Sir, the meat is on the table, and will spoil if we sit not down to it." He placed Monro at the head of the table, next the laird's daughter. All present were very merry. My lord told Munro, he would give him a spring if he would dance; which accordingly he did with the rest, the laird's daughter playing. While the rest were merry, his lordship and Monro stepped aside: they did not speak a dozen of words together, as all thought; and after drinking a little longer, Munro departed. My lord then called for candles, and went to bed. There were two beds in his room, in one of which he lay, and in the other lay Blackader and Deuchrie. The whole family in a little went to bed. None knew any thing of his lordship's design but one John White, who was his trumpeter and valet de chambre. The night being very short, and my lord being to meet Munro half way between his quarters and Dornoch, their meeting was to be as soon as they could perceive daylight; so that his lordship got not two hours rest before he rose, and, notwithstanding the two aforesaid gentlemen lay in the room with him, he went out and returned from the encounter without the knowledge of any one in the house, except John White his servant, who accompanied him. Munro came accompanied with his brother. They were both well mounted; each of the parties were to use one pistol, after discharging of which they were to decide the quarrel



with broad swords. Their pistols were fired without doing any execution, and they made up to each other with their broad swords drawn. After a few passes his lordship had the good fortune to give Sir George a sore stroke on the bridle-hand ; whereupon Sir George cried out to his lordship that he was not able to command his horse, and he hoped he would allow him to fight on foot. My lord replied, “ You base carle ! I will show you that I will match you either on foot or horseback.” Then they both quitted their horses, and furiously attacked each other on foot. At the very first bout the noble earl gave him so sore a stroke on the brow, about an inch above his eyes, that he could not see for the blood that issued from the wound. His lordship was then just going to thrust him through the body ; but his man John White, forced up his sword, saying, “ You have enough of him, my lord, you have got the better of him.” His lordship was very angry with John, and in a great passion gave him a blow over the shoulder. He then took horse and came back to his quarters. Munro came straight away to the head-quarters, and his brother had much ado to get him conveyed there, by reason of the bleeding both of his hand and head.

The general being acquainted of this meeting, immediately sent captain Ochtrie Campbell with a guard, to secure the earl of Glencairn in his quarters ; which accordingly was done before six in the morning. The general had ordered captain Campbell to take his lordship’s sword from him, and

to commit him to arrest in his chamber, taking his parole. This affair happened on Sunday morning.

In the week ensuing, there fell out an accident which made the breach still wider betwixt his lordship and Munro. One captain Livingston, who came over with Monro, and a gentleman called James Lindsay, who came over with lord Napier, had some hot words together. Livingston alleged Munro was in the right, and Lindsay insisted in the contrary. They challenged each other, and went out early in the morning to the links of Dornoch, where, at the very first bout, Lindsay thrust his sword through Livingston's heart, so that in a short time he expired. Lindsay was immediately after unfortunately taken; which when lord Glencairn heard, he dealt very earnestly with the general, and caused other officers to do the same for Lindsay's release; but nothing could prevail with him: he immediately called a council of war, who gave sentence that Lindsay should be shot to death at the cross of Dornoch, before four that afternoon, which was accordingly done. Lord Glencairn was exceedingly troubled at this gentleman's death: but all this must be done, forsooth, to please Sir George. Lord Glencairn took care that nothing should be wanting for burying this unfortunate gentleman with decency: and as there was no prospect of making up the breach which gave occasion to this mischief, his lordship, on that day fortnight after his encounter with Munro, marched away for the south country. He was accompanied with none other save his own troop, and some gentlemen

volunteers that were waiting for command. They were not in all a hundred horse. We marched straight for the laird of Assint's bounds. When the general had notice of our departure, he sent a strong party to bring us back, or otherwise to fight us. When his lordship had got safely to Assint, the laird thereof came to him, and offered to serve him, promising to secure the passes, so that the whole army should not be able to reach him that night, though they were to come in pursuit of him. His lordship was under the necessity of accepting this offer, though it was said that this very gentleman had betrayed and delivered up the great Montrose; yet most part believed that it was his father-in-law who betrayed that great nobleman, and not himself, who was young at that time.

The next day his lordship marched to Kintail, where he was very genteelly received by the gentleman who commanded there for lord Seaforth, to whom the house belonged. Here he stayed some days to refresh both men and horses; from that he marched to Lochbroom; from Lochbroom to Lochaber; from thence to Lochrannoch; thence to the head of Loch Tay, to a church town called Killinn. He rested here for the space of ten days, till Sir George Maxwell came and joined him with near an hundred horsemen.

Earl William of Selkirk also joined him with sixty horsemen; and lord Forrester, with *little* major Strachan, and one who went under the name of captain Gordon; they brought with them about eighty horsemen. This Gordon was an English-



man—his real name was Portugus—he was hanged at the cross of Edinburgh after our capitulation, for running away from them with several troopers that he had persuaded to follow him. There joined us several more of our captains, and some of their men also. His lordship finding, that by the addition of these noblemen and gentlemen, with their troopers, his numbers were increased to near 400 horsemen, he thought it proper to send them to general Middleton, that so they might not be wanting in their duty to the king's service where occasion might offer. Accordingly they went and joined the general. Lord Glencairn contracted a violent flux, by which he was in great danger, so that we all thought he would have died. This obliged us to make but short journeys. There were none with him but a few gentlemen and his own servants. We came at last to Leven, and staid at the castle of Rosedoe, belonging to the laird of Luss. His lordship was still careful in sending officers to different places, to levy men out of the Lowlands; and, within a month's time, he had got together about two hundred horse.

We had left Middleton, the general, in Sutherland, in the month of April, toward the latter end thereof; he immediately after marched to Caithness, where he expected more forces to join him, both from lord Seaforth and lord Reay, as also others, which Munro assured him of; but he was disappointed of them all.

He then marched towards the south country to avoid general Monk, who now had the command in Scotland, and had ordered Morgan to march



with what forces could be spared out of the garrisons. Monk marched his army north, and joined Morgan in the shire of Aberdeen. They then marched to the Highlands, but in different bodies, yet so as they should always be within a day's march of each other.

Middleton, with the king's army, came to the side of Lochgarie, where, at a small village, he was resolved to encamp all night; but Morgan, by his good fortune, reached the same place before the king's army, who had no intelligence where their enemies were, till the van-guard was fired upon by Morgan's outer guard. The English troop were the van of the king's army: there was no ground there on which they could draw up; for on the one hand was the loch, and on the other it was so marshy, that no horse was able to ride it; and on the way by the loch, two or three at most were all that could ride a-breast. The general Middleton finding this, ordered the army to face about; so that the van, who were the English gentlemen, became the rear. They behaved themselves very gallantly, but were very hard pressed by Morgan, who fell upon the general's baggage, where was his commission and all his papers.

Morgan pursued so hotly, that at last he obliged Middleton's army to run as fast as they could. There was no great slaughter; for, before they had passed the loch, night came on. Every man then shifted for himself, and went where he best liked. The general went off with a few; where he went to I can give no account; only he no more

took the field, but shortly went over to his majesty in Flanders.

Many of the earl of Glencairn's men who had been at Lochgarie, came and offered their services to him at Rosedoe: but he said to them, "Gentlemen, I see the king's interest in Scotland is now broken, the king's army being so shamefully lost as it hath been: and as I am now in a very bad state of health, I am resolved to capitulate with the enemy, for myself and those that are with me; and, if you please, you shall be included in the capitulation. Consider of this, gentlemen, and give me your answer to-morrow, that I may know for how many I am to capitulate; in the mean time you may go to the quarters I have appointed for you."

The officers the next day waited on his lordship, and told him, that as they had at first joined him to serve the king, and as they understood from him, that they could not at present do his majesty any service, they were all willing to accept of whatever terms his lordship should make for them.

His lordship immediately sent commissioners to capitulate with Monk, who at that time resided at Dalkeith; and it was a full month before the business was closed. The treaty was once entirely broken off; on which his lordship, who was informed that a party of horse and dragoons were quartered in Dunbarton, resolved to beat up their quarters. We had an outer guard at a ford within four miles of Dunbarton, which we kept in possession during the month that we lay in those parts. My lord ordered two hundred of

his best horse, under the command of Sir George Maxwell of Newark, his lieutenant-colonel, to cross the river where the said outer guard was, and, as soon as he should cross, to ride on at a gallop to the town. This was to be done about one in the afternoon, when the enemy were judged to be at dinner. This was accordingly done to good purpose: those of the enemy that could, fled to the castle; between thirty and forty of them were killed, and above twenty were made prisoners.

All the horses belonging to both horsemen and dragoons were taken: we likewise brought away with us two hundred loads of corn out of the town.

As soon as the news of this defeat came to general Monk's knowledge, he immediately brought on the capitulation again; which was soon happily concluded on, and he agreed to much more favourable terms than before this he would condescend to grant.

The conditions were, that all the officers and soldiers should be indemnified as to their lives and fortunes, and that they should have passes delivered to each to secure their safety in travelling through the country to their own respective homes, they doing nothing prejudicial to the present government. The officers were to be allowed all their horses and arms, to be disposed of as they pleased; they were also to have the liberty of wearing their swords when they travelled through the country. The common soldiers were allowed to sell their horses; they were obliged to deliver up their arms, but it was ordained that they were to receive the

full value for them, as it should be fixed by two officers of lord Glencairn's, and two of general Monk's. All which particulars were punctually performed by the general. Two long tables were placed upon the green below the castle, at which all the men received their passes, and the common soldiers the money for their arms.

This happened upon the 4th day of September, 1654. The earl of Glencairn that same night crossed the water, and came to his own house of Finlayston.



THE  
LIFE AND DEATH  
OF  
KING JAMES THE FIFTH  
OF  
SCOTLAND;  
IN WHICH  
IS THE BEGINNING OF THE REFORMATION  
IN THAT KINGDOM:  
AN ACCOUNT  
OF THE SUFFERINGS  
OF THE  
*Renowned Lady Jean Douglas,*  
*&c. &c.*

~~~~~  
FROM THE FRENCH, PRINTED AT PARIS, 1612.  
~~~~~

**Glasgow :**  
*Printed by R. Chapman,*  
FOR JOHN WYLIE, AND CO.

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1819.

THE

LIFE AND DEATH

OF

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OF

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IN WHICH

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IN THAT KINGDOM

BY A. A. A. A.

OF THE FOURTEENTH

OF THE

REVEREND FATHER JOHN DUNLOP,

OF THE

FROM THE PRESS OF THE UNIVERSITY OF EDINBURGH

Edinburgh:

Printed by J. G. G. G.

FOR JOHN GILCHRIST, AND CO.

1816

THE

## PREFACE.

THE reader will not be surprised if he find a variety of matters touched in this general Preface or introduction to the following tracts; this could not be well avoided in an account of Miscellaneous papers.

The author of the life and death of king James V. was a French gentleman, and no wonder that he gives a more full account of several matters than other historians; because that king had two queens from France, and many of their countrymen had considerable posts in the government of Scotland. Our author gives no account of affairs during the minority of that prince, which is generally the weakest part of a reign, and affords only the history of the intrigues and practices of ambitious politicians, who involve their country in blood and confusion, for the sake of ingrossing the whole power, or a considerable share thereof. The state of affairs in Scotland during this king's minority was this; first, queen Margaret had the keeping of the young prince her son, and the government of the kingdom committed to her during her widowhood: her brother Henry VIII. of

England had gained her to endeavour what she could to lessen the inclination of the leading men of Scotland to the French their old confederates ; but she by her marriage with Archibald Douglas, earl of Angus, lost the administration. To balance the English party in Scotland, the French king, upon the desire of the estates of the kingdom, sent over John duke of Albany, earl of Marche, Mar, and Garioch, lord of Annandale and the Isle of Man, count of Boulogne and Auvergne, by his marriage with the heiress Anne de La Tour and Auvergne. The French king did not openly discover what share he had in that affair, because then he was forming a league with England ; and notwithstanding all the endeavours of Henry VIII. to hinder the duke to come to Scotland, he landed in that kingdom, March 27th, 1515, his great misfortune was his ignorance of the language, and customs, and parties there ; this made him rely too much on the advice of John Hepburn, prior of St. Andrews, who in all the counsels he gave him, had more in his view to be revenged of his own enemies than the public good. The king of England used all methods to make the duke of Albany uneasy, and to possess those of most power in Scotland with jealousies of him, as being the son of a traitor, who was outlawed for levying war against his sovereign, and designing to dispossess him of the crown : that the duke was entirely in the interests of the French king, and had a greater regard to the service of that monarch than to the advantage and prosperity of Scotland. Queen Margaret, on the other hand, when there was wars



betwixt England and Scotland, discovered all the duke's designs that she could come to the knowledge of. This queen, upon some misunderstanding betwixt her and her husband, became at last weary of him, and sued for a divorce, because, as she said, he kept a mistress when she was in England: this made her live in better friendship with the duke than formerly. Whilst the duke was in France, which was from June, 1517, to September, 1523, the earl of Angus did what he could to strengthen his own party, and exclude the Governor from the administration, upon whose return the earl fled to England, where he was kindly received by Henry VIII. and was entirely gained to that king's interest. Henry used all means possible to get the earl restored to his possessions in Scotland, but in vain; and both by letters from himself, and from some eminent divines in England, persuaded his sister to be reconciled to her husband, and amongst other things reproached her with too great familiarity with the duke of Albany: though he could not get the peace made up betwixt her husband and her, yet she was gained to follow her old practice, of being a spy upon the duke, discovering his designs to her brother, or to his ministers, which in a great measure defeated all his purposes to invade England. At that time a faction began, which at last obliged the duke to leave Scotland, to which he never after returned, though he kept all his titles there: he died in his castle of Mireffleur, 1536, and was a prince of great courage; he had the command of considerable forces both by sea and land, under Francis I. of

France, in which posts he always behaved himself honourably ; he governed Scotland with great equity. When the news of his departure came to England, king Henry acquainted the earl of Angus with it, and desired him to go to Scotland, for then he was in France, where he had been three years. In the next parliament, the authority of the governor was abrogated ; the keeping of the young king was intrusted to four bishops, and four noblemen ; who were the archbishops of St. Andrews and Glasgow, of Aberdeen and Dunkeld, the earls of Arran, Angus, Lennox, and Argyll, who were to be the king's tutors by turns ; but Angus at last got the young king into his own keeping, and excluded the rest. Buchanan tells us, that the earl of Angus encouraged the king too much in his youthful pleasures, either to make him easy under his present restraint, or to engage him so deep in pleasures that he might be careless of the government, which he thought would turn to his own advantage : at last the king got free from the earl and his party, and banished them ; the earl retired to England, and did not return till after the king's death.

In the minority of this king, Henry VIII. by his ambassadors in Scotland, used all means to dispose him to prefer an alliance with England before one with France ; and for that end he sent him presents of fine horses and arms, which he knew would most readily take with the martial genius of this young prince ; but several noblemen, and the popish clergy, many of whom had benefices in France, persuaded him to the contrary : those

who were for the antient league with France, always reminded him of the strait alliance of his ancestors with that nation. Because there is mention of the league in the following history, I shall give here a short account of it :

All the Scotch historians agree, that it began in the time of Charlemagne, cotemporary with Achaius king of Scotland ; it is certain that this league is very ancient, for in the \* contract of marriage betwixt Francis, dauphin of France, and Mary, queen of Scots, April the 19th, 1558, it is said to be of eight hundred years' standing. The honourable Sir James Dalrymple, in his learned historical collections thinks this a good argument of its antiquity. † Hilarion de Coste, in his *Eloges et les vies des Dames Illustres*, tom. 2, in the character of Magdalen de France, king James V.'s first queen, says the same. In the original instructions given November 15th, 1570, by the duke of Chatelherault, the earls of Huntly and Argyll, Mary queen of Scots' lieutenants, to the bishops of Ross and Galloway, and the lord Livingston, to treat with queen Elizabeth, for queen Mary's restoration, in the third article it is said, " that the old league has been inviolably kept betwixt France and Scotland for eight hundred years and more." Eginhardus, secretary to Charlemagne, gives us an account of the assistance the Scots gave to Charles in his wars. Paulus Æmilius, in his second book *de Rebus Gestis Francorum*, says, " Honores, Magistratusq ; Saxoniae, Gentibus alienigenis, et

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\* *Traite de paix*.—† *Caligula*, c. 2, p. 296.



imprimis Scotis mandabat Carolus, quorum egregia fide virtuteq; utebatur." Belleforestus, in lib. 1, Hist. Carol. Mag. confirms this; and adds, "Scotorum fideli opera non parum adjutus in Bello Hispanico fuerat." The occasion of the league, was according to Buchanan, Lesley, "Conæus de duplici statu Religionis apud Scotus," David Chambers, and others, that the English Saxons had invaded France and plundered the seacoast; whilst Charles was absent in his wars against the Saracens, he thought it adviseable to enter into a perpetual alliance with the Scots, who by their nearness to England, were most capable to give a diversion to his enemies. Achaius, who knew that quarrels with neighbouring princes were unavoidable, was glad of the assistance of the French. The articles of this league were the same with those of other alliances, viz. "That the French and Scotch were to have common friends and enemies, that they were to assist each other in their wars, and that none of the kings of the two nations were to make a separate peace with England." And it may be said, that never a treaty was more inviolably kept than this. Lesly tells us, Achaius sent his brother William to France with four thousand men to assist Charles in his wars in Italy, and in his absence William commanded the army. Conæus, who lived long in Italy, informs us, that many of William's soldiers settled there, and were founders of several families, as of the Barones, of the Mariscotti in Bononia and Siena, the Scoti in Placentia and Mantua. Sansovino and other



genealogists say, that those families began in the reign of Charlemagne.

We do not believe what some historians affirm, that as a memorial of this league the crown of Scotland, which was before only a plain circle of gold, had another of flower de lis raised about it; for the learned Mabillon, whose testimony in this matter is much to be depended upon, tells us, \* that the first French kings who had the flower de lis on their crowns, were Philip I. and his father. Some also say, that upon this league, the arms of Scotland were inclosed in a double tressure, flowered and counter-flowered with flowers de lis, which is not probable, seeing Mabillon assures us, who is best acquainted of any with the seals of the French kings, that † Philip the August, who died about 1223, was the first who had one flower de lis in his counter-seal; Lewis VIII. and IX. had sometimes one, and sometimes many, which was observed by the following kings, till the reign of Charles V. who reduced the flowers de lis to three: neither till a long time after that, did the kings of Scotland use their arms on their seals, as we are informed by that learned and judicious antiquary Mr. Anderson, ‡ who is a great judge of the antiquities of Scotland, and has had better occasions than any to know what belongs to the seals, characters, and coins of his country.

At this time, as Buchanan says, barbarity and ignorance had not overspread Scotland so much

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\* De re diplomatica, p. 424.—† Page 139.—‡ Independency of Scotland, p. 66.

as other countries ; for there were still in that nation some monks remarkable for the ancient piety and learning. Charles was a prince who favoured and encouraged men of letters, therefore he invited some of them to France. Buchanan expresses that well in his admirable poem upon the marriage of Mary Queen of Scots with the dauphin of France.

“ *Hæc quoque cum Latium quateret Mars barbarus Orbem,  
Sola prope expulsis fuit Hospita terra Camænis, &c.*”

When barbarous foes the Roman bounds o’erspread,  
Thither the muses for protection fled :  
Hence Greek and Roman learning in full store,  
By Charlemagne to France was wafted o’er.

Bede, lib. 3, Hist. chap. 27, tells us, that many of the noblemen’s sons of England, were sent to Scotland to be educated, where they were entertained kindly, and had maintainance and learning given them gratis ; for at that time the monasteries were schools of learning, and not as afterwards, privileged places for impurity, laziness, and ignorance. Before this time flourished Bonifacius a Scotchman, according to Marianus Scotus, lib. 2, ad annum, 741, and Trithemius, lib. 2, cap. 24. Dempster, in a dissertation concerning the country of this Bonifacius, has nine arguments to prove him a Scotchman ; he was called the apostle of Germany, preached the gospel in many places of that country, and was the first archbishop of Mentz. Those who came to France upon Charles’ desire, were Joannes Albinus, or Alcuinus, Charlemagne’s preceptor, he founded the university of

Paris. In his 26th epistle, he calls himself Vernaculum Scotorum, i. e. a native of Scotland. Bozcius, tom. 2, lib. 2, cap. 9, is of the same opinion; as also Boterus, &c. Buchanan says, he saw a book of rhetoric of which he was the author. At this time came also Clemens Scotus, who founded the university of Padua.

The Scotch guards in France began upon this occasion, when Alexander III. heard that St. Lewis designed an expedition to the holy land, he sent to his assistance seven thousand soldiers, Lewis chose twenty-four out of that number, who were to have the constant keeping of his person; his example was followed by his successors; Charles V. added seventy-six to the former number; Charles VII. besides the hundred foot guards, added a troop of cuirassiers of that nation, who were to take place of all the horse of his army. An \* original paper, containing instructions from queen Mary of Scotland, to her ambassador the bishop of Ross, &c. at a treaty with queen Elizabeth, informs us of the state of those guards in 1570. They then consisted of a hundred men of arms, a hundred archers of the guards, and twenty-four archers of the corps, keepers of the king's body: after the reformation the privileges of those guards were greatly lessened. This is remarkable, that never any of those gentlemen was found guilty of treason, or carelessness in the defence of the French kings. Philip de Comines, lib. 11, cap. 12, of the life of Lewis XI. tells us, that the citi-

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\* Cotton Library, Calig. c. 2, fol. 323.



zens of Liege broke in upon the lodgings of that king, and had certainly killed him, had it not been for the valour of his Scotch guards, who stood about him like a wall, and with their arrows drove them and the Burgundians away. At the battle of Pavia, Francis I. was not taken till there were only four alive of his one hundred Scotch guards. It would be too tedious to give a long account of the privileges the Scotch nation had in France by that league, especially the merchants and students.

Several things contributed to the weakening of the alliance with France; first, Henry VIII. by means of his sister, queen Margaret, stirred up a party in Scotland against those who were for the old league. Herbert, in the life of that king, tells us, that he loved interviews because he was a handsome prince, and made a great appearance at jousts and tournaments; yet the great reason of his desire to meet with king James, was to alienate him from the friendship with France, and to persuade him to make a breach with Rome, as the most likely way to attain that end: but king James rejected the offers of his uncle, who persuaded him to a match with his daughter Mary, and afterwards married with France. Francis I. who had heard of the danger of losing the friendship of Scotland by the solicitations of Henry VIII. and that king James was come to France to court his daughter Magdalen, he received him with all possible solemnity. King James entered Paris, December 3, 1536. Hilarion de Coste tells us, from the records of the parliament of Paris, that



Francis commanded the parliament to do James the same honours they did himself. The senators objected, "that it was never their custom to attend foreign princes in their red robes." The French king answered, "that he could grant king James no less, seeing he was his old ally, and was come in person to marry his daughter." The marriage was solemnized the next day. \* When Henry heard of it, he wrote to Francis, then at peace with him, and told him, "that his alliance with the Scotch king, vexed him no less than it would do a violent lover to see his mistress embrace his mortal enemy." After the death of king James, Henry proposed to the estates of Scotland, a match betwixt his son Edward and the young queen Mary; one of the conditions of it was, "that they should renounce their league with France, and that the young queen should be carried into England." They could not be brought to that, because Mary of Lorrain, the queen dowager, many of the nobility, and the whole clergy, were against it. Upon this, Henry made war with Scotland, in 1543, but missed of his design, which was to oblige the Scotch nobility to consent to the match, as the only way to unite the two nations. After his death, the duke of Somerset, the protector, continued the war to the fourth year of Edward VI. † That war cost England one million, four hundred and thirty-two thousand, nine hundred and ninety-seven pounds, eleven shillings and tenpence: a great sum in those days.

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\* Herbert, 444.—† Otho, E. 11.

After queen Mary was carried into France, the protector made peace with Scotland in 1550.

The second thing which made many in Scotland averse to the friendship of the French, was the change of religion in that kingdom in the minority of queen Mary, upon this they became jealous of France, and thought an alliance with them would be dangerous to their religion; they were afraid of the power of the house of Guise, for the queen dowager had then six brethren, viz. the duke of Guise, the cardinal of Lorraine, the duke d'Aumale, grand captain, the cardinal of Guise, the marquis d'Elbeuf, and the grand prior, four of them were remarkable for their military bravery, and had gained the reputation of excellent soldiers, all over Europe, besides that family managed the whole affairs of France. The protestant lords of Scotland thought it their interest to seek the assistance of queen Elizabeth; Lethington and Robert Melvill were sent to the court of England in 1559. Lethington, when he was admitted to his audience, in an eloquent \* oration, complained, "that since queen Mary was married to the dauphin of France, the government of the kingdom was changed; Frenchmen had engrossed all posts of trust and profit, had got the strong holds of the kingdom into their hands, and although Scotchmen had titular offices, yet the French had the power: upon those and many other accounts, they had reason to believe they designed a conquest of Scotland." Queen Elizabeth, who saw it was not for

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\* Cambd. Hist. Q. Eliz. page 35.

her interest that the French should settle so near her, and besides, longing to be revenged upon Francis II. and queen Mary, for their taking the style and arms of the kingdom of England, at length resolved to send forces to assist the lords of the congregation, to drive the French out of Leith. The relief which was sent them from France in the fleet commanded by the grand prior, was shipwrecked, which obliged the French to capitulate. Upon the news of this, the queen dowager, an excellent and prudent princess, died with grief. So the French were obliged to leave Scotland, by which queen Elizabeth established a party there, which was ever afterwards willing to be directed by her. When queen Mary returned to Scotland after her husband's death, queen Elizabeth always maintained that party to embroil all her affairs. Queen Mary at last was obliged to flee from Scotland, and came to England, being invited by queen Elizabeth, who promised always to do what she could towards her restoration, provided she did not seek aid from France, which queen Mary observed, till she saw it was in vain to expect help from her cousin, during her imprisonment in all the unsuccessful treaties for her liberty. Queen Elizabeth always made that an article, "that the league with France should be dissolved." Queen Mary and the lords of her party declared, "that seeing the Scotch nation had so great benefit by it, they could not well consent to renounce it, unless some equivalent advantage were proposed by queen Elizabeth; and the most they could do in that



case, was to suspend that league during the lives of the two queens."

3. But what above all ruined the French interest in Scotland, was the massacre of Paris in 1572, which will be an everlasting reproach to that nation: at that time queen Mary's party was very strong. Upon the news of this, queen Elizabeth, who knew well how to improve every thing to her own advantage, sent an ambassador to Scotland, who told the protestant lords, and considerable gentlemen of queen Mary's party, "that by that bloody cruelty, they might understand the genius of popery." So by degrees they made their peace with the regent; Grange would not acknowledge the regent's authority, but held out the castle against him: but queen Elizabeth sent artillery and forces, which obliged Grange to surrender. Lethington died the same year. This was the end of a long civil war. Cambden tells us, that upon this several officers and soldiers of both parties went over to Sweden, France, and the Netherlands, where they gained a great reputation for their military bravery.

In this king's reign the protestant religion began to be professed in Scotland, which alarmed the popish clergy, who by it foresaw the ruin of their absolute power over the consciences of the people, and that they were now in danger to lose those blessed times, when they could persuade kings and other rich persons, that what lands were made over to religious houses, as they called them, would certainly purchase salvation to the donor, and to his predecessors and successors. Scotland had one



king, viz. king David I. who founded fourteen monasteries, and erected four bishoprics; the priests in gratitude got him sainted, which signified no more, but an easy bigotted prince. King James I. of Scotland, called him "a sad saint to the crown." If we consider the extent of Scotland, no kingdom had more religious places than it, and some of them of magnificent architecture. At length the government began to be sensible that the priests, seeing they had a foreign dependance on Rome, were bad subjects; to prevent the consequences of which, we find several acts of parliament forbidding them to go to Rome without license from the king, or the chancellor of the kingdom; neither were they to go thither to obtain the collation of benefices in Scotland, as is evident from James I. parl. 7, act 106; James III. parl. 6, act 42; James III. parl. 11, act 84; king James IV. parl. 4, act 38; king James IV. parl. 5, act 53. The popish authors, as Lesly, Camerarius, Conæus and others, own, that when the change of religion began, many things contributed to the contempt of their clergy, of which these were most remarkable, viz. that by the ambition of the nobility, children were made bishops and abbots; that if any of their sons, by reason of imperfections either of body or mind, were incapable of civil business, they were made priests; that many of the rich abbots neglected their charge, and committed the management of their offices to others, whilst they in the meantime abandoned themselves to luxury and idleness; that the clergy at that time were deeply engaged in whore-

dom, for common harlots were frequently their domestics; and those who had solemnly devoted themselves to religion, spent most of their time both night and day in taverns, &c.: and even the nuns, those christian vestals, were often debauched by their priests. These things lessened the regard formerly paid to their order, bred discontents amongst the people, which prepared them to shake off their yoke. No doubt but in this change, as well as in other revolutions, interest and other passions had their share. To prevent that storm which threatened them, the popish clergy persuaded king James to persecute the protestants, as the way to atone for all his sins, and to secure the peace of his kingdom; they had but too much power over this prince, for when his uncle invited him to an interview, they represented how wicked a thing it was to have any conference with an excommunicated person, which in great measure hindered it. \* The pope, to secure the obedience of this king, who was still a dutiful son of the church, sent over his legate Antonio Campeggio in 1535, who, with many ceremonies and apostolical benedictions, delivered him a cap, and a sword, consecrated the night of the nativity of our Saviour, that it might breed a terror in the heart of a wicked neighbouring prince, against whom the sword was sharpened. The pope in his letter to him complained of the affronts that Henry of England had done to the church of Rome by his divorce, the executing of cardinal Fisher, the bishop

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\* Drummond's history of this king.

of Rochester, &c. and that by patience she received more wrongs, and that now she was obliged to use a searing iron, for the application of which she had recourse to his majesty, whose aid she implored, seeing Henry deserved to be dethroned; therefore the pope desired the king of Scotland to undertake something for the defence of the church, worthy of a christian king, and himself. King James dissuaded the pope to excommunicate his uncle, and promised to endeavour what he could by letters or messages to reclaim him. \* King James at that time took the title of "Defender of the Christian Faith," which offended his uncle Henry, because it was his title. The protestant religion made no great progress in this king's reign; but, in the minority of queen Mary, the protestants became a considerable body, and what above all things made the popish religion odious in Scotland, was the cruelty of the clergy: the cardinal of Lorraine and the duke of Guise were for violent persecuting methods, D'Oysel was recalled because he was suspected of Calvinism, and was succeeded by the bishop of Amiens, the pope's nuncio, afterwards a cardinal, and la Brosse, the ambassador, who complained to the queen regent that she used too much moderation to the heretics, who deserved to be punished with death and loss of their possessions. Mary of Lorraine, who knew the undaunted and fierce temper of the Scots, saw the danger of such proceedings, but she was gained over at last to those severe methods; and when-

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\* Herbert, 519.



ever she began to persecute, the lords of the congregation disowned her authority.

In this king's reign \* gold mines were found in Crawford moor by the Germans, which afforded him great sums; they would not refine it in Scotland, but after they had bargained with the king, they carried over the ore with them to Germany. Besides those mines in Crawford moor, we have an account of others not far from it. † In king James IV.'s reign, the Scots did separate gold from sand by washing. In king James V.'s time, three hundred were employed for several summers in washing of gold, of which they got above a hundred thousand pounds of English money; by the same way the laird of Marchestone got gold in Pentland-hills; great plenty has been got in Langham water, fourteen miles from Leadhill-house, in Crawford moor, and in Megget water, twelve miles, and over Phinland, sixteen miles from that house; and in many other places, where pieces of gold of thirty ounces weight have been found, which were flat mixed with the spar, some with keel, and some with brimstone.

In this king's reign the order of the thistle was in great splendour; for he being honoured with the order of the garter from England, that of St. Michael from France, and the golden fleece from the emperor, he sent also his own order to those princes; he celebrated the festivals of them all, and set the arms of each prince, with their orders about them, over the gate of his palace of Lithgow,

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\* Lesly, Drummond.—† Otho, E. 10.



and erected his own in the midst, with the order of St. Andrew. May 29, 1687, at Windsor, king James VII. of Scotland renewed it: in the act for the reviving it, we have the account of its original; (but when the statutes of that order were first made, and the cognizances of the knights appointed, is not so certain). The records give this further account of that order, "that it consisted of twelve knights brethren, and a sovereign, in imitation of our Saviour and the twelve apostles, under the protection of St. Andrew and the holy virgin, for the defence of the christian religion; that it was evident from ancient histories, authentic proofs, records, and documents of that kingdom, that it continued in splendour for many hundred years, was worn by several foreign princes and kings, and honoured in all places of christianity till the reign of Mary queen of Scotland, when the splendour both of the church and monarchy fell into contempt; then the order with its ceremonies was extinguished; some of the knights, in rebellious contempt of queen Mary, laid the ensigns of that order aside, others of them fled to foreign countries." But in her majesty's patent for the reviving of it, December 31, 1703, the account of the disuse of it is not so reflecting upon the reformers; the words of the records are as follows: "the order of the thistle was very honourable all over Europe; but by the continued wars, and intestine troubles, after king James V.'s death, and two long successive minorities, the splendour of the crown was in many things, and

by many ways, clouded, and amongst others, the regard to this order lessened."

The oath of this order, in king James VII.'s time, was, "I shall fortify and defend the true christian religion to the utmost of my power; I shall be loyal and true to my sovereign the king, sovereign of this most ancient, and most noble order of the thistle, and the brethren of the order. I shall maintain the statutes, privileges, and honours, of the said order. I shall never bear treason about in my heart against our sovereign the king, but I shall discover the same to him: so help me God and the holy church." This oath was a little reformed by her majesty, for instead of the true christian religion, it is now the true protestant religion; and the holy church, at the end, was left out.

In king James V.'s life, our author has given a large account of the sufferings, bravery, and chastity, of the famous lady Jean Douglas, sister of the earl of Angus; we have in the Scotch history another instance of the courage and loyalty of a lady of the same family. In the reign of king James I. some wicked subjects had conspired against the life of the king, who was one of the best of princes: this lady, then one of the maids of honour, when she saw these murderers coming to assassinate the king, did run to the king's chamber door to shut it; but finding the bar taken away, thrust her arm in the place of it, and kept the door shut till the conspirators broke her arm in pieces, and entered the chamber, where they killed the king: so that family, which has had so

many men remarkable for bravery, has also had women, who, in spite of their sex, have been remarkable for their courage.

The second treatise amongst those miscellanies, is the navigation of king James V. round Scotland; \* the author of it was Nicholas d'Arfeville, chief cosmographer of the French king. In 1546, the lord Dudley, the English admiral, invited him to England; Mr. John Ferrier, who continued Hector Boethius' history, assisted him to translate it into French, after which he presented it to Henry II. of France; the author, by the command of the French king, afterwards, in 1547, went with sixteen galleys commanded by the Sieur Leon Stroza, prior of Capua, and admiral of all the galleys of France, to besiege the castle of St. Andrews, which then held out, being garrisoned by those who had killed cardinal Beatoun. † Drummond gives this account of that voyage, "that king James sailed with five well-manned ships, and gave out that he designed to steer his course to France; but it is more likely he designed to try the behaviour of the great men of the kingdom in his absence; he arrived at Orkney, placed garrisons in some forts, and sailed about the islands of Sky and the Lewis; he surprised the chief of the clans of those highland islanders, whom he sent as hostages to the castles of Dunbarton and Edinburgh: and when, by the skill of one Alexander Lindsay his pilot, he had sounded the remotest rocks of his kingdom, he was driven by storms to land at St. Ninians, near

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\* See vol. iii. of this Collection.—† Drummond, page 309.



Whitehorn in Galloway." This voyage did so terrify those islanders, that it brought long peace and quietness to those places afterwards. This active and brave prince, not only ventured his life in pursuing and apprehending robbers and highwaymen, which had been neglected in his minority, but his care extended to the most remote islands and rocks of his kingdom ; by this voyage he humbled those leaders who thought they might set up for themselves, and exercise tyranny over their vassals and tenants. No doubt he had the advantage of the fishing of herrings and other fish in his view, which was made more easy, when the safest harbours amongst those dangerous rocks were discovered, the dangers and the way to avoid them shown, and a full account given of the distances and courses, and the points to which the tides flowed, and the times of full sea. This may be of considerable use to those who sail about those islands for fishing or otherways: it cannot fail to please the curious, being the navigation of a king, and never before published in the English tongue.

The third treatise in these miscellanies is the *Chamæleon*, \* written by the famous Mr. George Buchanan against Lethington, and never before published: that he is the author of it, is evident from the testimony of Cambden his cotemporary, who † gives us this account of the matter, " that in 1573, Lethington was sent to Leith, where he died of sickness, yet not without suspicion of poison: a man amongst the Scots of greatest expe-

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\* See vol. ii. of this Collection.—† Hist. of queen Eliz. p. 198.



rience, and of an excellent wit, had it been less wavering." Upon which account George Buchanan his emulator, in a paper of his which he intituled the Chamæleon, sets him forth in his lifetime as one more mutable than the Chamæleon, and sharply taxeth him as a fickle colour changing enemy to the king's grandmother, his mother, Murray, the king himself, and to his country. The learned Sir Robert Sibbald, in his commentary on the life of Buchanan, says, Buchanan is the author of Chamæleon, but had not seen that paper. Their is a passage in it which determines this matter; for the author speaks of his being at the conference at York and Hamptoncourt; now it is certain that Buchanan was there, where Murray and his party had need of his eloquence and wit to accuse queen Mary. The lives and characters of great men are always instructing, when written by those who were capable of such a work: none doubt of Buchanan's ability, if we were equally certain of his impartiality; but to do him justice, he is not singular in giving that character of inconstancy and shifting parties to Lethington, for \* Spotswood gives the same account of him: "Lethington," says he, "was displeased with the advancement of David Rizio to be secretary to queen Mary, because his credit was thereby impaired; yet being one that could put on any disguise on his nature, of all others he most fawned on this Italian." Page 196, he says, "that Lethington had a great hand in the discords betwixt queen Mary and her hus-

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\* Page 189.

band, and persuaded her to a divorce ;” for says Spotswood “by his subtle flatteries he had got again into favour with the queen.” \* In another place, he says, “that Lethington had often changed his party.” When he gives an account of his death in 1573, he says, † “that he was a man of a deep wit, great experience, and one whose counsels was held in that time for oracles ; but variable and unconstant, turning and changing from one faction to another, as he thought it to be most for his interest: this greatly lessened his reputation, and failed him at the last.” The author of the memoirs of the affairs of Scotland, published by Mr. Crawford, says, ‡ “that Morton was no stranger to Lethington’s shifting temper, who was out of his element, but when his hand was in a plot.” Though Buchanan makes Lethington a bad man, yet by the account he gives of him, we may easily see he has been a very great man ; and in the sixteenth book of his history he owns, “that Lethington was a youth of a vast genius, and great learning.” Queen Elizabeth, in an original letter || to the earl of Sussex, August 12, 1570, gives a very great character of Lethington ; she is admirably well pleased with a letter that Sussex had written to him, and that in the affairs he had to negotiate with Lethington he had escaped his cunning, who says she, “is accounted the flower of the wits of Scotland.” Randolph and others, who at that time wrote to Sussex, warned him to be cautious in his transactions with Lethington : and

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\* Page 244.—† Page 272.—‡ Page 273.—|| Cal. c. 2, fol. 225.

queen Elizabeth, by her ambassador in Scotland, used all possible means to bring him off from queen Mary's party which he managed; because she knew that his wit was still a source of new contrivances to make her uneasy. Buchanan in this paper tell us, "that it was Lethington who discovered all Murray's and his party's secrets to the bishop of Ross, queen Mary's ambassador, at the conference at York, for Murray durst not leave him behind him;" which is probable enough, seeing he went there against his will. The duke of Norfolk was blamed for this, the suspicion of which was the first reason why queen Elizabeth hated him, and it was one of the articles of his impeachment.

Buchanan was the first who reduced resistance of kings and queens to a system; his book, *de Jure Regni apud Scotos*, was written about the year 1567, which is clear both from the preface of it, as also by the dialogue itself, where it appears that then queen Mary was prisoner in Lochleven castle; for after he had spoken of Darnley's death, he says "*si Reginam in Ordinem Redigi moleste ferunt, &c.*" Blackwood, who was his contemporary, in his *Apologia pro Regibus*, which he wrote to confute the dialogue *de Jure Regni, &c.* assures us, that it was in manuscript long before it was published. After this time many books were printed upon the same subject, as *Stephani Junii Bruti vindiciæ contra Tyrannos*, which was never published till the year 1581, though to conceal the author, in the title page it is said to be printed at Edinburgh, in 1579, but the true author was Hu-



bert Languet, a French protestant, as we are informed by Joannes Petrus Ludovicus, who wrote his life, printed in 1700. Bayle in his dictionary is of the same opinion. Hottomanni Franco Gallia, was also printed in 1581, and Mariana's book, de Regis et Regum Institutione, was not published till long after.

Buchanan's pen has procured him a great many enemies: no wonder that all the popish authors hate him, because both in his history and his poems he has exposed that party. Camerarius is his most bitter enemy, he always calls him a "profane person;" and in page 269 of his book de Fortitudine Scotorum, &c. says, "that he fled from Scotland because he was accused of Judaism, and had eaten the paschal lamb." Spondanus has the same story, *ad annum* 1539, and quotes Camerarius for it, who has given no vouchers to induce us to believe him. Lesly who had better opportunities to be acquainted with this, tells us nothing of it. Blackwood tells us, "that he fled from Scotland, because he was suspected to be guilty of treason," but not one word of his Judaism; for at that time he had disoblged the Franciscans by a poem of his, and they stirred up a great many enemies against him: if that story had been true, he had not been suffered to have lived three years at Bourdeaux; nor had got out of the prisons of the inquisition at Portugal: the ground of that scandal has been no other than this, he and some of his friends had been eating lamb before Easter, the malice of the priests could easily turn it into a paschal lamb, and make Judaism out of it. Garasse, Doctrine Curieuse,



page 50, makes an atheist of him, and that a little before his death he refused to pray to God, and said, "he knew no other prayer but a profane ode of Propertius's, which he repeated, and so died." We have more reason to believe Sir James Melvill, who frequently conversed with Buchanan, and was no great friend of his, who in his Memoirs, page 125, gives Buchanan the character of being a religious man. His dialogue, *de Jure Regni*, has made all that are for passive obedience and non-resistance his enemies; because there he treats sovereign princes with very little ceremony; and his *Detectio Mariæ* has displeased those who have any regard for the memory of Mary queen of Scots: his best friends have wished that he had written with more temper, and had given vouchers for what he asserts in his history. The *Chamæleon* was written originally in English, we have changed nothing.



THE  
HISTORY  
OF  
*The Life and Death*  
OF  
JAMES THE FIFTH,  
KING OF SCOTLAND;  
TOGETHER  
With the Tragical History  
OF THE  
RENOWNED LADY JEAN DOUGLAS, &c.

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WHEN king James V. was twenty-four years old, his subjects addressed him, that now it was necessary for him to marry, because nothing would more effectually contribute to the safety of his person, the breaking the force of the present factions, and the settling the public peace, than children. Upon the report of this, four of the greatest princes of Europe most earnestly desired his alliance. Henry VIII. king of England, who had the same inclinations with his predecessors to annex Scotland to England, offered him the princess

Mary, his daughter by queen Catherine ; and for that end he sent William Howard, brother to the duke of Norfolk, to the court of Scotland, to negotiate an interview betwixt the two kings, that they might confer together about affairs that concerned their own peace, and that of their subjects ; he assured the king, that upon the consummating of that marriage, his master would declare him his successor to the crown of England ; and as a testimony of the sincerity of his intention, king James should immediately be created duke of York, and lieutenant-general of England. Nothing could be more desirable than this, which certainly would have put an end to the inveterate hatred betwixt the two kingdoms, which had occasioned so great expense of blood and treasure, in room of which a sincere amity would have followed. But unluckily at that time two kinds of persons had an ascendant over the spirit of that prince, who dissuaded him both from the match, and the interview. In the first place, the churchmen were afraid if that marriage had been concluded, the king would easily be persuaded to a change of religion, seeing already he was sufficiently displeased with the avarice of several of the pope's legates in Scotland, and according to the example of his uncle Henry VIII. he might be brought to establish the protestant religion, and abolish popery ; so to prevent those consequences, they represented to the king, " that his mortal enemy, Henry VIII. had no other view, in desiring so earnestly that conference, but to ensnare him, and had a design upon his liberty ; that it would be an instance of



extreme easiness and rashness, to endanger his crown, life, and liberty, for the sake of those amusing promises. They reminded him how barbarously his predecessor king James I. had been treated by Henry II. who, though he landed in England even in the time of a truce, was there detained prisoner eighteen years, and at last his subjects were forced to pay eighteen thousand crowns for his ransom; and seeing we are to measure mankind more by what has been, than what ought to be, it was needful to remember that king's never fail to improve all opportunities against their enemies; and that they have always a greater regard to satisfy their ambition, than to avoid the reproaches due to infamous and unjust actions.

“And from the time he fell into his uncle's power, he may expect to be entirely determined by his pleasure and humours. Further, that Henry not only intended to seize his person, and invade his kingdom; but above all, he designed to ruin his soul, and poison it with his own heresy, to which he was proselyted by the sinful liberty it allowed him to live according to his lusts; so it is no wonder that sensual princes are easily perverted to that error: and in fine, seeing his person, conscience, and kingdom, would be in visible danger, it was no ways safe for him to enter into any conference with such a politic and designing prince, who would use all possible means to seduce him from that faith, which was professed and taught in Scotland earlier than in any other kingdom in christendom.” On the other hand, James Hamilton, earl of Arran, next heir to the crown,

used all his interest and endeavours to disappoint that interview, and defeat the designed alliance; so to disguise his true motive, he insinuated, "that the match with the princess Mary would not answer the end of it, which was, to have an heir to the crown as soon as possible; for because of her childhood she would not be marriageable for a long time, and that the marriage of an infant was not at all adviseable, in the case of a prince, who was already weary of a single life. It would be seen that his uncle's promises and performances were as contrary as falsehood and truth; in a word, that it was evident to all thinking people, that the king of England was chiefly moved to that match, that by it he might at any time more easily enter Scotland, to embroil the kingdom, and to contrive his pernicious designs." King James was so sensibly moved by those reasons, that he was over-persuaded to dismiss the English ambassadors, with acknowledgments of the great thanks he owed to his uncle Henry VIII. though in the mean time he did not give a positive refusal.

Immediately after, the emperor Charles V. dispatched his ambassador, Henry Godscallo, secretly from Toledo, to Edinburgh; the emperor had nothing more at heart at that time than to weaken France, which was the greatest obstacle to the progress of his victories, towards the compassing of which, it was most adviseable to endeavour to break the old alliance betwixt France and Scotland.

When Godscallo was admitted to the king's presence, he began his harangue thus: "This is

the peculiar advantage of illustrious virtue, that it engages even those who have not the happiness to be witnesses of it, to admire and love it ; the reputation of your abilities has reached the ears of my master the emperor, though unacquainted with your person, which has induced him to send me to you, as a proof of the great esteem he has of your merit ; upon that consideration he designs to honour you with his alliance, which he refused to other kings not inferior to you in power and valour, and for you he has reserved that favour. He offers you the choice of two persons, very dear to him, viz. madam Mary of Austria, his sister, widow of Lewis king of Hungary, or of madam Mary of Portugal, his niece, the daughter of his own sister, the lady Eleanor of Austria, both descended from the imperial EAGLE, who disdained alliance with any but with invincible hearts, such as yours is. Consider, Sir, that none of your predecessors had ever such an honour done them, that a triumphant emperor, who by his numerous and victorious armies, is a match for all the potentates of the earth, should court your alliance ; not that he expects any aid from you by this marriage, but his only inducement is, to satisfy the great inclination he has to love and oblige you."

This haughty and insolent speech had certainly provoked the king to answer him in his own way, if reasons of state and prudence had not hindered him ; so he practised that modesty, which a great prince ought to observe in all his actions, and excused Godscallo's behaviour, and imputed



it either to the genius of the nation, or to his education.

The king answered him very courteously, and told him, "that his interest and that of his people were inseparably united, so that it was no wonder if he could determine nothing in a matter, on which the happiness or misery of his subjects very much depended, without the advice of his nobility and chief ministers of state ; but would so soon as possible convene them, to know their minds in that matter."

After this the king set out for Stirling, where he summoned the estates of parliament to meet him ; when they were assembled, he communicated to them the emperor's proposals, which were debated publicly in parliament. The king then observed many, but chiefly the churchmen, to be very inclinable to that match, as the best expedient to preserve the peace of the kingdom. Amongst whom the archbishop of Glasgow, a man of experience and piety, being warmed with zeal for the public good, made the following speech : " Sir, it is criminal for us, next to the worship of God, to account any thing dearer than the person of our king, and the good of our country ; upon which two, turns the small happiness this mortal life of ours is capable of ; the relation betwixt which is such, that we cannot watch for the safety of the one, unless we provide for the preservation of the other, whence it comes that we are sharers in the good or evil that befalls our kings ; and on the other hand, our calamities impairs the strength of our sovereigns, and disarms their courage. Upon



this consideration, when in the time of your minority, we your subjects felt so sensibly the wrath of heaven, and suffered both by foreign and domestic wars, which so dispirited us, that we were upon the point of leaving our native country, and the sepulchres of our forefathers, and to travel to other nations, where we might die in peace, if we had not been restrained by the hopes we conceived, that your being of age, would put an end to our troubles, and that then you would strengthen your self with some honourable alliance, whereby we might be rescued from ruin. Now when we are possessed of that blessing which we so long wished for, and when such a victorious and powerful prince as the emperor Charles V. is desirous of your friendship, and offers you the choice of two fair and virtuous princesses of his family; what can now hinder that happiness, on which depends your glory, and our safety? Your neighbour, Henry VIII. is the declared enemy of your kingdom, and your consciences, and waits for an occasion to embroil the affairs of Scotland; and seeing he has miscarried in his designs to subdue our country: the prospect he has to sow his heresy amongst us, is some comfort to his malicious spirit. But so soon as he shall see you allied with the house of Austria, he will abandon all his enterprises against you, and turn his designs another way. We observe many families in this nation already infected with this heresy, who upon this marriage will think of returning to the church, or of retiring to England. In a word, seeing this match is so visibly necessary for the support of

your kingdom, and the cause of religion, therefore why should the discourses of those prevail upon you, who dissuade you from that alliance, either out of hatred to the Austrian family, or to promote their particular interests? How vain is it to be jealous, that the emperor designs to invade Scotland, and thinks by that match he shall have a pretence for such a design, seeing he has work enough nearer home for his victorious arms? If you delay the embracing of those offers, Henry VIII. waits for an occasion to defeat that treaty, being enraged that you refused to marry his daughter; whose resentment may be dangerous at this time, when the kingdom is much weakened by a long minority, and former wars, and by the present parties and factions: do not therefore, Sir, delay that work, which is so much for the glory of God, the advancement of religion, the support of your crown, and the peace of your subjects."

This discourse made some impression upon the king; the rest of the counsellors observing the king's inclination, were upon the reserve, and declined giving their opinion, either because they would not discover that their sentiments differed from his, or that it is dangerous to give advice to young kings in the affairs of their marriage; for if every thing do not answer their expectation, those who recommended that match are sure to bear the blame; though frequently their pretended disappointment is rather to be attributed to their own inconstancy and fickle humour, than the unfaithfulness of their ministers. This reservedness displeased the king, who expected that their zeal

for the good of their country, would have made them speak their minds freely ; and having shown his displeasure at their conduct, he peremptorily commanded Mr. Thomas Erskine, the master of requests, a person of great experience, and candour, to declare his opinion about the matches proposed by the emperor. In obedience to the king's command, Mr. Erskine made the following speech.

“ If the regard due to your majesty had not hindered me to speak upon this affair without your express commands, you should have known my sentiments before this time. The proposed alliance with the emperor is extremely dangerous, and that the rather, because the bad consequences of it are not foreseen. None can deny that those offers by so great a prince are very much for your honour, notwithstanding which, you ought to consider the issue ; for frequently pernicious designs lie hid under the colour of marriage. It is a long time, Sir, since ambition has banished true love and sincerity from the marriages of kings ; for we see daily, that most princes have chiefly in their view, by such treaties, either their own interest, or the ruin of their new allies. You may be assured the emperor is not so disinterested in this matter as he pretends. His design is to draw you off from the French, your old allies, that he may the more easily attack you, when you are engaged by articles to give them no assistance. It is visible to every body, that these many years he has had nothing more at heart than the destruction of France, the greatest hinderance of the universal monarchy he has projected : his exorbitant ambition has no



bounds ; for the end of one conquest is but a plausible pretext to begin another. And if desert and barren places, and the very distant rocks of the sea are not safe from his arms, you have no reason to think, but that he will also pretend some quarrel, that he may begin a war with you : for ambition is a savage beast which spares none ; and frequently the nearest relations are most exposed to its fury. This obliges the father to have a watchful eye over the son, and frequently the tie of nature is not strong enough to restrain the son from robbing his father of his crown ; and what may then be expected in the case of a more remote relation ? Therefore you have no reason to trust in that alliance with the emperor ; for reasons of state, and his own convenience, will certainly determine him more than alliances, or any other considerations. His pretended love to you is not so much the reason of that proposal (which he would be glad to have you believe) as his design to make a party in your kingdom, to entice your officers to desert your service, to disunite you from your ancient friends, and to sow the seeds of faction and division amongst your subjects, that when a fit opportunity shall offer, he may wrest the sceptre out of your hands ; which he would never have attempted, if you had not entered into treaties and alliances with him. And suppose his designs are not so bad, his conduct in this matter shows, that he is afraid least you should reject his alliance, seeing he gives you the choice of two princesses, both of his blood, that you may be the less excusable if you refuse his offers. What treatment may you



expect from him after the marriage, when already, though there is no tie or treaty betwixt you, his ambassadors propose that affair with such haughty insolence, as if that you alone, and not the emperor, were to have honour by that alliance? we all know that EAGLE which Godscallo boasts of is the arms of the empire, which, being elective, if merit and valour gave as good a title to it as intrigue, solicitation, and cabals, you might bid as fair for it as himself. It is sufficiently apparent, that marriage, instead of being advantageous to you, will make all your neighbours jealous of you, and your allies suspicious, without any real assurance of assistance from him in your greatest necessity; and when you are attacked by your enemies, any aid you can expect from him will always come too late, whatever timely notice you give; his troops would no sooner land in your kingdom, but you must expect the same plunderings and ravages from them as from an enemy's. And how ridiculous is it to fancy, that the catholic faith professed in Scotland shall receive any support from that alliance? as if the Scots wanted to learn religion from them, who received the christian religion long before the Spaniards. Their lives are neither so exemplary, nor their eloquence so persuading, that we are in any want of their instructions: there are many princes in Europe whose alliance is more for your interest, for which, I hope, Sir, you will reserve yourself; the emperor's proposals flowing from such a selfish principle, can never advance the honour of God; and how can you expect any advantage by it, seeing it will infallibly

engage your person in constant dangers ? and little satisfaction can your subjects reap from it ; because your marriage will be so far from putting an end to their miseries, as they hoped it would, that it will only serve to increase them."

This discourse pleased the king so well that he was resolved immediately to give an audience of leave to the imperial ambassador, wherein he told him in a few words, You may acquaint your master the emperor, that I am very sensible of his affection by the offers he has made me ; and that he conquers as much by his civilities as by his arms : the kind offers of his alliance has so gained upon me, that none of the princes of his own house can be more ready to please him than I am ; but I hope he will excuse me, if I do not presently embrace these obliging offers ; because I am not yet disengaged from the match proposed by the king of England before your coming to this country. I desire you to assure the emperor, that upon all occasions I shall testify the sense I have of this great favour.

Scarcely had Godscallo left the kingdom, when Christiern II. king of Denmark, sent to him, to know if he were content to marry either the lady Dorothy his eldest daughter, or the lady Elizabeth of Austria, the emperor Charles V.'s sister ; notwithstanding she had been pre-contracted to Frederic, elector palatine of the Rhine ; for this king had more regard to his interest than to his promise. The beauty, and other accomplishments of this lady were such, that king James had certainly consented to marry her, if he had not been unwill-

ling to displease the emperor who was guarrantee of the treaty of marriage betwixt her and the elector.

Whilst those designs, which heaven blasted, were contriving against France, Francis I. on his part neglected nothing that was necessary to preserve the ancient alliance with Scotland; and king James on his part, to show the affection he had to France, resolved at last to match with some of the royal family of that kingdom, from whence he could expect the surest assistance when his affairs wanted it. For this end he sent his ambassadors to France, viz. James earl of Murray, his bastard brother, William Stuart, bishop of Aberdeen, John Erskine, and Robert Reists, to negotiate a marriage betwixt him and the lady Magdalen of France; the French king received them courteously, but was greatly at a loss what to do in that matter, seeing the design of the marriage was to tie the two kingdoms together by a more close alliance: he was afraid that both their enemies would make use of that match as a handle to disunite them, because king James could not promise himself any children by his daughter, who was a sickly lady, so in the end would rather prove the occasion of indifference betwixt them: Francis therefore proposed to the ambassadors a match betwixt their master and the lady Mary of Bourbon, the daughter of Charles duke of Vendosme; the ambassadors refused to treat about it without instructions from king James, so desired time to acquaint him with the proposal, and to know his pleasure.



Now whilst king James waited for news from his ambassadors, his kingdom being then in perfect peace, this active prince not loving to stay long in one place, resolved, under colour of visiting his ports and havens, to sail round his kingdom, even to the Western Isles, that he might constrain some gentlemen there to be better subjects, who living at a great distance from the court, and that in places naturally fortified and strong, thought they might be dispensed with as to any obedience to their sovereign. Upon his arrival he ordered the building of two forts, the one upon his own charge, the other at the expense of the bishop of the isles, to curb the violent and ungovernable temper of the inhabitants; after that he obliged the principal men of those isles to come and swear allegiance to him; those who had continued in their duty had liberty to return home, only they were to pay yearly some small taxes to the king; those who had been rebels, were either forced to give hostages for their good behaviour for the future, or to follow his majesty, who sent some of them to the castle of Edinburgh, and the rest to Dunbarton, which John Stuart, lord d'Aubigny, had delivered to him a little time before by order of the king of France; for till then it was garrisoned by Frenchmen.

This voyage being happily concluded, when the king was come to Edinburgh, he received letters from his ambassadors, in which they acquaint him with the kind reception they had received at the court of France; for the French king told them, that he should be glad of the ho-



nour of that alliance, but only was sorry that his eldest daughter was sickly, his other daughters were too young, and at present there were none of his relations that were worthy of that honour, except the lady Mary of Vendosme, an admirable and charming princess of the blood royal. They said, they could not give any answer to that proposal, because they were limited by their instructions. This account of affairs made the king very melancholy; sometimes he doubted lest some selfish views in the earl of Murray, and the bishop of Aberdeen, might incline them to embarrass that match; at another time, the confidence he had in John Erskine, and Robert Reists, made him easy; because he was sure they would not betray the trust reposed in them, but would use all possible application towards the accomplishing the desired match: notwithstanding, to prevent delays, and considering that the great reason why the matches of most princes are so unhappy, is, because they never see their queens before marriage, he determined to go over to France, and to court in person: but the great heats at that time obliged him to defer his voyage till they were a little abated.

In the mean time, he observed that the opinion of Luther increased extremely in Scotland, and believed it was his duty utterly to extirpate the protestant religion, lest if he delayed that necessary work, as he supposed, it might in the end supplant and banish popery, which he accounted the foundation of his authority; some took the freedom to tell him, "that heresy was a scourge sent

from heaven upon the souls of men for the punishment of their sins, and that all persecution was in vain, seeing the distemper was within the soul, which could not be reached by any human means ; for it belonged only to God to move and convert the mind : so that methods of arguments, and gentleness, were more likely to gain upon the spirits of men, than those of persecution, rage and fury, seeing error was the effect of human frailty ; that after he had used rational means of conviction, he ought to wait for the blessing of God upon such laudable endeavours : so that the least he could do in that case was to grant a toleration to the protestants.” Others on the contrary spake thus to the king : “ that it was impious to suffer a plurality of religions, which was contrary to the unity of the divine nature ; that God would be worshipped with one heart, and after the same uniform manner ; the tranquillity and peace of kingdoms could not be firmly established, where the true way of worshipping God was not fixed and determined, without any toleration granted to heretics ; otherwise the persons of kings would be in perpetual danger : for when the quarrel of religion has divided your subjects into factions, and enraged them against each other, bigotry shall so prevail upon them, that they shall be regardless even of death itself, every day your sacred person shall be in danger from some desperate devotee, who shall think it his duty to be your sworn enemy, because you are not of his belief. What is more frequent than murder and assassinations where different sects prevail ? For each is per-

suaded that the truth is only to be found with their party, they think that the cause of religion will bear them out, in killing those whom they account blasphemers of God: but on the contrary, where the same religion is unanimously professed, the subjects are more governable and peaceable, and more observing and obedient to the laws of their sovereigns. Nothing can so effectually unite the affections of your subjects, or so forcibly dispose them to a continuance in their duty to your majesty, and prevent rebellion, than an uniformity in worship and doctrine; this should oblige you to defend the catholic religion, seeing the crown and it have inseparably been conveyed to you from your ancestors: and if kings will not allow that any should share in their dignities but themselves, neither is it tolerable that the service and worship of God should be prophaned and deserted. In fine, though it is reasonable to make serious addresses to heaven, that God may be pleased to root out heresy out of the hearts of men; yet whilst we wait for that blessing from above, it is necessary, in the mean time, to make use of the secular arm to chastise the ringleaders of heresy, that the fear of punishment may preserve the minds of your people from the infection of error."

Those reasons prevailed upon the king, upon which he published severe and rigorous laws against all protestants within his dominions, and established a court of inquisition, the judges whereof were to make strict search for all those that professed the new religion; many were discovered, who were cruelly put to death, the king hoping



that those severe measures would certainly extirpate the protestant religion.

During those cruelties, Henry VIII. who had renounced all obedience to the pope, and had embraced the doctrines of Luther, sent the bishop of St. Davids to his nephew king James, with books printed in England, which contained an account of the principles of the religion then established there. He hoped that by the reading of them king James would be persuaded to disown the pope's authority. In his letters he earnestly intreated his nephew to read those books carefully without prejudice, which he refused to do, till he had first got them to be examined by learned and religious men, who upon perusing them, reported that they contained nothing but lies and impostures, and heartily thanked God that his majesty had escaped that snare which his uncle had laid for him, and that he would not pollute his eyes with the reading such dangerous books.

At this time robberies were so frequent upon the highways, that all business and trade was at a stand; this was owing to the negligence of the sheriffs, who suffered robbers and thieves to escape unpunished. To put an end to those disorders, the king established a justiciary court at Jedburgh.

The king now being uneasy with impatience, because his ambassadors were not like to conclude the marriage with that despatch he wished for, notwithstanding the inconveniencies of the season, resolved to sail for France, and having given orders that a fleet should be ready, he went a-board



at Leith, together with the great ministers of his court, without owning whither he was bound; many thought he designed to go into England to visit his uncle, and now repented, that the former year he refused an interview with that king; they were scarcely got out of the haven, when a storm began to rise, and the wind turned contrary: upon this the pilot asked the king which way they should steer their course? he answered, "whither you please except to England." This convinced them all that the king designed for France, which was impracticable at that time, because of the contrary winds; which, when the king understood, he chose rather to sail round the coasts of his kingdom, and try if they could have better passage by St. George's channel, than to put in again at Leith; neither did that succeed, for still the storm increased, which made those who attended him bethink that it was safest to return home, and not expose their king's and their own life to visible danger; and that it was fool-hardiness to struggle with the unrelenting winds and waves; that there was no need for such haste, and that they might lie in some harbour till the storm was over, without any prejudice to the king's affairs: so whilst the king was asleep they tacked about, and sailed for the coasts of Scotland: when the king awakened he was in a great rage, and never pardoned those who advised the sailing back to Scotland; he blamed Sir James Hamilton chiefly for this, whom he hated before, because he killed the earl of Lennox. Sir James' enemies, to inflame the king the more against him, suggested,

that he was very far from being a dutiful subject ; that all his pretences of loyalty were only hypocrisy ; for his only design in accompanying his majesty was to defeat the design of the voyage.

When the bad weather was over, the nobility who were with the king, in complaisance to his majesty, desired him to think of sailing with the first fair wind, which he did, and setting sail from Scotland on the first day of September, —, he landed at Dieppe ten days after, and went incognito to Vendosme, to see the lady Mary of Vendosme, where he was satisfied that she was an excellent and well accomplished princess, and that fame had not been too favourable to her ; but seeing he had had the choice of three princesses, all daughters of kings, he thought he could not in honour marry one of a lower degree ; so he left Vendosme, and had still the disposing of his own heart, notwithstanding the charms of that fair lady, and went straight for Paris to meet with the French king, whose coming was a surprisal to the court. The king, who knew nothing of it till about two hours before he saw him, immediately went to meet him and welcome him to Paris, being accompanied with all the nobility then at court, and received him with all that grandeur and honour that king James could desire. He had not been long at Paris before the lady Magdalen owned that she loved him : he desired the king her father to agree to the match, and said, he hoped that the change of air, and more years, would confirm her in perfect health, and doubted not but he should have children by her. The French king consented to

the match, and told him, there was nothing that he could deny the king of Scotland : so the marriage was solemnized with all the pomp and ceremony imaginable.

Some days after, the present posture of affairs obliged the two kings to take leave of each other ; at parting they gave all possible assurances of mutual and perpetual affection and friendship, for at that time the Imperialists ravaged Piedmont and Picardy, and king James was afraid lest Henry VIII. might embroil his affairs in his absence : so king James and his queen set out for Scotland, having with them a great number of French ships. When they arrived in Scotland, they were received with the universal joy of their subjects, but as in human life our gladness is still allayed with sorrow, so this joy was short lived, and was interrupted by the great grief occasioned by the death of the young queen, who lived only six months after her landing in Scotland ; for the sea air, and the fatigue of the voyage, had occasioned her sickness. There was such an universal and real grief over all the kingdom, upon the news of her death, that to testify the sense the court, and other persons of note, had of the great loss, they went into mourning, which was the first time that ever that custom was used in Scotland.

After the funeral ceremonies were over, king James was more desirous than ever of children, and was unwilling to live any time a widower ; he cast his eyes upon the lady Mary of Lorrain, sister to Francis duke of Guise, a famed general, and the widow of the duke of Longueville ; for



the charming virtues of that lady had made a mighty impression upon his heart during his stay in France.

Whilst the ambassadors were a-going to France to desire the lady Mary of Lorraine in marriage for the king, he was alarmed with many false accusations of innocent persons, as if guilty of plots against his life ; the first remarkable person who suffered by the villany of those informers was one John Forbes, a young gentleman of great courage, and of a good family, but had always lived a vicious and scandalous life, which made people believe the more easily, that one of his character would stick at no crime : he had been managed of a long time by one Strachan, a wicked fellow of a mean birth, who was a sharer in all his debaucheries. Forbes found by experience, how dangerous the society of villains is. This Strachan, besides his other vices, was a covetous wretch, he demanded from Mr. Forbes some gift which he could not conveniently grant ; upon which refusal, Strachan was so displeased that he meditated revenge, became his enemy, and to compass his malicious designs more effectually, he went to the earl of Huntly, Mr. Forbes' mortal enemy, where they jointly contrived his ruin. They accused Mr. Forbes that of a long time he had a design to murder the king ; they hired knights of the post, who were evidences against him, who swore, that then he waited only for a fit opportunity to assassinate his majesty. Though those witnesses were men of bad characters, and their evidence did not prove the impeachment, nevertheless he was found



guilty, and condemned to death ; for the judges thought that the very intention to kill the king deserved it. But God permitted him to come to that untimely end, as a punishment for his former sins ; “for though iniquities are not immediately chastised, yet at length men’s sins find them out, and when they are most secure, and least expect the wrath of heaven, they fall into snares which complete their ruin.”

The judges found Strachan guilty of misprision of treason, because he had so long concealed such a horrid crime, which they thought he would not have done if he had not been equally guilty in the plot ; but though he deserved death more than Mr. Forbes, yet all his punishment was only banishment : he retired to Paris, where he followed still the same dissolute debauched way of living. King James, for reasons best known to himself, was sorry for Mr. Forbes’ death when it was too late, because he thought he might be useful in some secret services ; for bad men are as necessary in the body-politic, as bad humours are in the body-natural : to testify his concern, he made his second brother a gentleman of his bedchamber, and married the third to a great fortune, and gave him back his brother’s estate which was forfeited.

This punishment was immediately followed by another very lamentable one, if we either consider the quality of the persons accused, or the nature of their pretended crimes ; but most of all deplorable for the too great severity of the punishment.

Jean Douglas, the sister of Archibald earl of Angus, who then lived an exile in England, was

the most renowned beauty of Britain, at that time ; she was of an ordinary stature, not too fat, her mien was majestic, her eyes full, her face was oval, and her complexion was delicate and extremely fair. Besides all these perfections, she was a lady of a singular chastity ; as her body was a finished piece, without the least blemish, so heaven designed that her mind should want none of those perfections a mortal creature can be capable of ; her modesty was admirable, her courage was above what could be expected from her sex, her judgment solid, her carriage was gaining and affable to her inferiors, as she knew well how to behave herself to her equals : she was descended from one of the most honourable and wealthiest families of Scotland, and of great interest in the kingdom, but at that time eclipsed ; she was married to John Lion, lord Glammes, a discreet and valiant nobleman, who died in the bloom of his youth, and left a son behind him by their marriage : she continued a widow some years after. During which time, several of the best families of the kingdom courted her ; but a gentleman named Archibald Campbell, had the honour and happiness to gain her love, he had a good estate, and was of a good family, and commanded the third squadron of king James' army. Now this gentleman, who equally admired her beauty and virtue, made his addresses to her with all possible respect, at length she owned she loved him, so they were married to both their satisfactions.

William Lion, a near relation of her first husband, and one of her former suitors, not being

able to stifle his former flame, nor dissemble his rage and discontent for the loss of her, became almost frantic upon this disappointment ; and though he was so unhappy as to lose her, yet he did not forbear his addresses, hoping still, that in recompense of his painful attendance, she would grant him some favours.

This beautiful lady repulsed him with disdain, and told him, that the reason why she formerly treated him with civility, was more owing to his relation to her last husband, and to her son, than to any regard to himself ; but now, seeing he had designs upon her honour, she hated the sight of him ; for he might be assured that she would never comply with his criminal and brutal desires.

This resolute and virtuous refusal distracted him, and not knowing what to answer, sometimes he complained of her severe virtue ; at another time he told her, the great love he had for her was the occasion of his addresses : he blamed her also for her ingratitude, as if, in complaisance to him, she ought to throw away all regards to chastity ; in fine, he told he had lost all his time and endeavours. This interview was spent in complaints, intreaties, reproaches, and threatenings ; after which he departed and never visited her more. From that time his love, or rather lust, was changed into rage and revenge ; his thoughts were divided, whither he should kill her himself, or contrive some plot against her life ; the first seemed unworthy of his courage, whereas the latter required very nice conduct, and too long a delay, seeing he was enraged to that degree, that he



thirsted for present revenge ; but at last the latter carried it.

So the passion of love being succeeded by that of vengeance, he was brooding over his resentment for some months, at last he lights upon one of the blackest contrivances that hell could suggest, viz. he accused this lady, her son, her husband, and one John Lion, an aged priest, and his own near relation, as guilty of a design to poison the king. This was the most unlikely thing in the world, if we consider the characters and conversation of the persons accused, who lived for the most part in the country at a great distance from court, and seldom had an occasion of seeing the king ; however, upon this, those innocent persons were apprehended and imprisoned in the castle of Edinburgh, and their goods were seized, with a strict charge to the judges of the justice-court to proceed to their trials.

William Lion, the accuser, who had the ear of the jealous king, used all his rhetoric to aggravate the matter, and that he might dispose the king to treat them with all possible cruelty, he represented, “ that the family of Douglas had always been dangerous and troublesome to his predecessors, and even to himself and his kingdom ; and reminded him of the insolent behaviour of Archibald Douglas, earl of Angus, the brother of the prisoner, in the time of his majesty’s minority, whose practices were so pernicious, that by a public decree he was banished the kingdom as a disturber of the peace of his native country ; that since that time he was become the subject of Henry king of



England, his majesty's enemy, and was now the incendiary betwixt the two kingdoms, and advised all the inroads that were made from England upon Scotland; and that, seeing he could not be restored to his honours and fortune, without great difficulty, revenge incited him to plot all the mischief possible against the king's person; and who could he employ for compassing such wicked designs more fit than his own sister, who was obliged to secrecy by the ties of blood? That he engaged her in that conspiracy, thinking that her sex, character, and birth, would make her the less suspected: therefore, if his majesty had any regard either to his interest or safety, it was necessary to exterminate that race which produced nothing but monsters of rebellion, and especially that woman, whom if he spared, he would put it in her power to accomplish her wicked designs."

This discourse found too easy a belief with the king, who was naturally jealous and suspicious, and was wholly ignorant of the hatred which William Lion bore to that lady; upon which he ordered that they should be put upon their trial in all haste, so that small regard was had either to their characters, birth, or defences they made. Before the judges gave sentence, this lady was brought to the bar according to custom, that they might hear what she could say for herself: she knew well enough that her misfortunes proceeded from her near relation to the earl of Angus. When she had answered to all the the questions which the judges asked, with the greatest courage and

boldness imaginable; she delivered the following speech :

“ Those who hate the merit of my brother are enraged because he is not in their power, that he might fall a sacrifice to their malice, and they now discharge their spite upon me, because of my near relation to him ; and to gratify their revenge with my blood, they accuse me of crimes which, if true, deserve the severest death. But seeing it is the only prerogative of God to punish men or women for the faults of others, which belongs to no judge on earth, who are obliged to punish every one according to their personal crimes, you ought not to punish in me the actions of my brother, how blameable soever ; above all, you ought to consider if those things I am accused of have the least appearance of truth imaginable ; for what gives the greatest evidence either of the guilt or innocence of an impeached person, is their former life. What fault could any hitherto lay to my charge ? Did any ever reproach me with any thing that is scandalous ? Examine, I intreat you, my former conversation, vice hath its degrees as well as virtue, and none can attain to a perfection in either, except by long use and practice ; and if you can find nothing reprobable in my conduct, how can ye believe that I am arrived all of a sudden to contrive this murder, which is the very height and perfection of impiety ? I protest I would not deliberately injure the most despicable wretch alive ; could I then make the murder of my sovereign, whom I always revered, and who never did me any wrong, the first essay of my wickedness ? None

are capable of such damnable and unnatural actions, except two sorts of persons, viz. those of desperate fortunes who are weary of their lives, or those who are hurried into them by revenge ; my birth, and manner of life, puts me beyond the suspicion of the first kind ; and for the latter, seeing I was never injured by the king, how can I be suspected to thirst for any revenge ? I am here accused for purposing to kill the king, and to make my pretended crime appear more frightful, it is given out, that the way was to be by poison. With what impudence can any accuse me of such wickedness, who never saw any poison, nor know I any thing about the preparation of it ? can any say they ever saw me have any of it ? let them tell me where I bought it ; or who procured it me. And though I had it, how could I use it, seeing I never came near the king's person, his table nor palace ? It is well known, that since my last marriage with this unfortunate gentleman, I have lived in the country, at a great distance from the court ; what opportunity could I ever have then to poison the king ? You may see by those circumstances, which give great light in such matters, that I am intirely innocent of those crimes I am charged with : it is the office of you judges to protect injured innocence ; but if the malice and power of my enemies be such, that whether innocent or guilty I must needs be condemned, I shall die cheerfully, having the testimony of a good conscience ; and assure yourselves that you shall certainly find it more easy to take away my life, than to blast my reputation, or to fix any real blot upon



my memory. This is my last desire of you, that I may be the sole object of your severity, and that those other innocent persons may not share in my misfortunes. Seeing my chief crime is, that I am descended of the family of Douglas, there is no reason that they should be involved in my ruin; for my husband, son, and cousin, are neither of that name, nor family. I shall end my life with more comfort if you absolve them, for the more of us that suffer by your unjust sentence, the greater will be your guilt, and the more terrible your condemnation when you shall be tried at the great day by God, who is the impartial judge of all flesh, who shall then make you suffer for those torments to which we are unjustly condemned."

This admirable speech, which was spoken with such boldness and manly courage, astonished the judges extremely, and when they had reasoned upon what she had alledged in her own defence, they determined, before they gave sentence, to send two of their number to the king, and to represent to him, that though the witnesses had proved the articles of impeachment, and that, according to the law of the land, upon this evidence she deserved death, yet, upon a serious consideration of the whole circumstances of the matter, they could not perceive the least probability of her guilt: they were afraid lest the rigour of the law in this case should prove the height of injustice, therefore they wished rather that equity and mercy should take place, it being more safe to absolve a criminal, than to condemn an innocent person; that time alone could discover the truth of the



matter, by making known the character of those witnesses who had sworn against her, whether they were men of honesty, or had been bribed to accuse her; that nothing was so adviseable as to delay the whole affair for some days, which could be no danger to the king, seeing those persons were not to have their liberty; but whenever they could perceive any presumptions of their guilt, they should not escape justice: as for themselves they were tied up to the formalities and letter of the law, it belonged only to his majesty to temper and moderate the severity of it by his clemency, upon which account they addressed themselves to him, seeing in such cases wherein the life, honour, and estates of persons of distinction are concerned, all possible caution is necessary.

The king, who was naturally merciful enough, had yielded to this reasonable request, if Lion, who had contrived that hellish plot, and was afraid, if they had escaped, his wickedness would be discovered, had not prevailed with the king to give this answer to the judges: "that the exercise of justice was a considerable part of the royal dignity, which he had entrusted them with when he made them judges; that it belonged to their office to preserve the innocent, and punish the guilty; that the book called *Regiam Majestatem*, contained all the forms and rules which ought to determine them in such cases; wherefore he gave them full power to proceed in that business according to justice, and the laws of the land; and said, he knew of nothing that could hinder them from doing their duty like men of honour."

Upon receiving that answer, those that were sent to wait upon the king, returned to the exchequer, where the court of justice then sat, and reported to the rest of the judges, what the king had given them in charge ; upon which the judges gave sentence against that lady, which was, that she was to be led out to the place of execution, and there to be burnt alive till she was dead. A little time after the sentence, she was delivered into the hands of the executioner, to be led out to suffer ; the constancy and courage of this heroine is almost incredible, which astonished all the spectators : she heard the sentence pronounced against her without the least sign of concern, neither did she cry, groan, or shed a tear, though that kind of death is most frightful to human nature. When she was brought out to suffer, the people who looked on could not conceal their grief and compassion ; some of them who were acquainted with her, and knew her innocence, designed to rescue her ; but the presence of the king and his ministers restrained them : she seemed to be the only unconcerned person there, and her beauty and charms never appeared with greater advantage than when she was led to the flames, and her soul being fortified with support from heaven, and the sense of her own innocence, she outbraved death, and her courage was equal in the fire, to what it was before her judges ; she suffered those torments without the least noise, only she prayed devoutly for divine assistance to support her under her sufferings : thus died this famous lady with a courage

not inferior to that of any of the heroes of antiquity.

The day following her disconsolate husband, designing to make his escape from the castle of Edinburgh, was let down over the walls by a cord, which happening to be too short, he fell upon the rocks, where he was dashed to pieces. The king was very sad upon hearing of that lamentable accident, and immediately ordered that Lion, the old priest, should have his liberty, because his great age made him incapable of any such design; as for the young lord Glamis, though his childhood was sufficient proof of his innocency, yet he was kept still in prison, from whence he was not released till after the king's death.

Those who make any reflections upon the tragical history of this unfortunate lady may observe, that great beauty frequently exposes women to danger, and often proves a snare and curse, rather than a blessing; seeing most men who behold them become passionate admirers of them, whereas it is only in such virtuous lady's power to make one man happy; the other less fortunate rivals, missing that bliss they impatiently longed for, sometimes their disappointed love degenerates into revenge and fury, which proves the cause of great misfortunes to those beautiful females.

William Lion, after this virtuous and incomparable lady had fallen a victim to his fury, whenever he began to think coolly upon the wickedness he had done, was so filled with horror, that he was not able to endure the lashes of his awakened conscience; he lamented when it was too late, that



his malice had occasioned the loss both of the lives and fortunes of those who were his near relations ; so that having confidence in the king's mércy, he confessed the whole matter secretly to him. The king abhorring such frightful wickedness, banished him from the court, and designed his punishment should be answerable to his guilt ; but affairs of greater concern which happened immediately after, made the king forget that matter.

At length the king heard from his ambassadors cardinal Beaton and Robert Maxwell, then at the court of France, that his marriage was concluded, very much to the satisfaction of the French king, and all his court, and that they designed to set out in a little time from France, and to bring with them the lady Mary of Guise ; from that time he thought of nothing but of his amours, and of making preparations for his queen's honourable reception.

Monsieur D'Annebault, admiral of France, was ordered to wait upon her from the court to Dieppe, with a great number of the nobility of the best quality in the kingdom, where she went aboard about the beginning of June, 1538. A great number of French ships conducted her to Balcomy in Scotland, where the earl of Murray and other Scotch noblemen were sent to wait upon her ; after she had stayed there some days, and had taken leave of the French noblemen who attended her, she was brought to St. Andrews in great state, where the marriage was solemnized with all possible rejoicing.

The great merit of the new queen was so re-



remarkable, that she was admired and loved by all her subjects ; her prudence, and love to the king, gained his heart intirely, and to complete his happiness, she brought forth a son the first year of their marriage, at St. Andrews ; and the next year she had another son at Stirling, upon which the king admired her to that degree, that he advised with her in all affairs of state : she was a lady of great wit, and was reputed a princess not inferior to any at that time, either for beauty, courage, or prudence.

Hitherto all things went well with king James, who was arrived to that height of prosperity, that he had nothing to wish for ; having children by his marriage, was loved by his subjects, and feared by his enemies : but frequently adversity is nearer prosperity than we expect, thus it was with this king, for all of a sudden he experienced the reverse of fate, and was immediately attacked with so many and various troubles, that whenever he thought to disengage himself from any of them, he was overpowered with new ones which defeated all his endeavours.

The first mortification he met with, proceeded from his bad conduct, which lost him the affections of his subjects ; for when he saw he had two sons, and that there was no fear he should want heirs to succeed him in the throne, he began to undervalue his nobility, and upbraided them with want of courage, and that they had degenerated from the valour and military bravery of their ancestors : he reminded them of the dishonourable defeat at Floddon, where they gave small proof of

their regard to the king his father, or concern for the honour of their country : he told them, if they were willing, he had inclination to revenge his father's death upon Henry VIII. and to retrieve the ancient reputation of the kingdom. He found them not very forward to engage in any such matters ; for those reproaches had so much alienated their affections from him, and enraged them, that they deserted his service, when he had most need of their help : for of all things, what can more highly provoke haughty spirits than disdain ?

The kingdom was then at peace, the Protestants, who were at that time a very numerous body, and increased daily, were so displeased with what they suffered upon the account of their religion, that they had certainly taken up arms to get their grievances redressed, if they had had any nobleman of note to head them. The king knew that well enough, but his affairs were then so embroiled, that he was obliged to dissemble his displeasure at them, and waited till he had extricated himself from his present difficulties, as a more fit season to mortify them ; his treasury was then very much exhausted because of his extraordinary expense, by his marriages, and his many new buildings, so that he wanted money extremely ; the most ready way was, either to lay a tax upon the clergy, or upon the nobility ; both of them desired to be excused from that hardship, and enlarged upon their own poverty, and the riches of the other estate.

Now Henry VIII. who had not forgotten that he had been affronted by king James, who refused to marry his daughter, and to have an interview

with him, was determined to try if he could by subtilty persuade him to meet him in England, otherwise, upon refusal, he should have a specious colour for beginning a war : he sent his ambassador to king James, to desire him to come to York, where he would meet him, and that they might confer friendly together about affairs that related to the peace of both their kingdoms, and conclude a lasting peace ; for what could be more for both their glory, than to put a period to the ancient hatred and animosity betwixt their two kingdoms, which had occasioned the effusion of so much christian blood ? that instead of those national and hereditary quarrels, a firm and sincere friendship might be established betwixt the two crowns.

Many of the peers of the kingdom, and who had great interest with the king, were protestants, and used all possible arguments to persuade him to go and see his uncle, who, they assured him, had then all the inclination imaginable to receive him with the utmost demonstration of love and friendship ; there was not the least cause of fear that his person would be in any danger, for they had all the reason in the world to believe that that interview would procure a well-grounded peace betwixt the two kings and their subjects. But what above all things made them long for that meeting was, that they knew that Henry VIII. was a prince of a very moving eloquence, so they hoped their king would be gained upon to choose the king of England for his ally, rather than any other prince, and hoped he might be induced by



his uncle to make a change of religion in his kingdom, as he had began to do in his.

But upon the other hand the clergy foreseeing how much that interview threatened the downfall of their authority, employed the utmost of their skill to defeat it; for they told the king, they were assured that a toleration to the protestants would be the least effect of it. To dissuade the king they used all the arguments which they had employed upon a like occasion, "that his majesty was not to trust to safeconducts, seeing Malcolm, and William his brother, both kings of Scotland, by trusting to such securities, had lost their liberty, and were made prisoners by Henry II. of England, and carried to Guyenne, where the English were at war with France, that he might oblige them to renounce the old alliance with that kingdom. The misfortunes of his predecessor king James I, might teach him caution and wisdom in such affairs; and if his uncle had broke his engagements to heaven, and was an apostate from the truth, what human tie could bind him? Those considerations might prevail with his majesty to avoid the snares of his enemy: but if his uncle should be so enraged with this refusal that it should be the occasion of a war with England, they promised him as much money as should be necessary to defray the charges of it; besides, they promised to pay him yearly thirty thousand crowns, and if at any time his affairs required more money, than they would willingly contribute as far as their revenues would go for his assistance: provided his majesty would allow the laws to be put in execution against those



who had scandalously renounced all obedience to the Holy See, and despised its ordinances, and now avowedly professed Lutheranism: they desired his majesty, as the only way to stop the course of that growing mischief, he would allow them to seize the goods and estates of those who should for the future be convicted of that heresy, which they thought would amount to a yearly rent of a hundred thousand crowns, which they said might be annexed to the king's revenue; so they hoped his majesty would appoint such judges as were men of courage and resolution, and would go through-stitch with such a godly work."

The king was so sensibly touched with this address from the clergy, that he laid aside all thoughts of an interview with his uncle the king of England, not so much upon the account of the money they offered him, as to please the queen, who declared, that she was averse to that journey, because the danger of it overbalanced any prospect they could have of advantage; she knew that the king did not love his uncle, neither could he disguise his aversion, so feared that his open and frank temper would widen the breach betwixt them.

He made Sir James Hamilton, bastard brother of the earl of Arran, judge of this court of inquisition which was to be erected. This choice mightily pleased the churchmen, because he was a declared enemy to the protestants, and his interests were inseparable from those of the clergy. This commission proved his ruin; for the protestants perceiving how dangerous an enemy he should prove,

for that now his malice was armed with power ; they laid a trap for him which he could not escape : James Hamilton, brother of Mr. Patrick Hamilton who suffered for the protestant religion, after he had been a long time sheriff of Lithgow, was obliged to flee from Scotland, because he was of his brother's religion ; when he had been a considerable time abroad, he got liberty from the king to return for some time to settle his affairs : notwithstanding which, he could not think he was safe whilst Sir James Hamilton was president of that new inquisition, who, though his near relation, was his mortal enemy, because when he was sheriff, he had given a cause against him ; he knew that Sir James never forgave what he believed was an injury, and would now colour his revenge against his enemies, by the all-atoning name of zeal for the catholic faith. And now, seeing an aftergame was dangerous, this gentleman designed to be beforehand with him, upon this he sent his son to the king, who was then in Fifeshire, to warn him, that now there was great necessity for his majesty to take care of his person, for Sir James Hamilton corresponded secretly with the earl of Angus, and that he only waited for a convenient time to put his wicked designs in execution ; for whenever he could nick the time when his majesty was alone, or had few attendants, then he would enter his chamber and assassinate him. The king, who never was regardless of any thing that was proposed for the safety of his life, dispatched that young gentleman to Edinburgh, and gave him his ring, which was well known to his ministers as a token

of the truth of the message; he told them the king ordered James Lermont, his master of the household, James Kirkcaldy, the treasurer, and Thomas Erskine, master of requests, to meet in the exchequer; that the young gentleman, the bearer, would acquaint them with the treasonable designs of Sir James Hamilton, which they were speedily to prevent.

Those judges, who could not dispence with their obedience to the king's positive commands, went immediately to Sir James' house, where they arrested him, and committed him to prison in the castle of Edinburgh, and in the mean time drew up the articles of impeachment against him. The churchmen were persuaded that this accusation was a contrivance of the protestants, to ruin the inquisition, which began then to be hard upon them; upon which account they undertook the defence of the prisoner, went to the king, and most earnestly desired him to give no credit to those calumnies Sir James was charged with, who had always been a very faithful and obedient subject to his majesty. They most humbly begged that he might be enlarged, and sent back to the exercise of his office. Lermont and Kirkcaldy, being apprised how eagerly the clergy defended the prisoner's cause, were mightily troubled; on the one hand they knew that the king was naturally inclined to mercy, and was too much directed by the counsels of churchmen; on the other hand, they knew if Sir James regained his liberty, he would never forgive the affront they had done him; for he was a man of great interest,



factionous, and revengeful, and their known love to the protestant religion, would give him the best handle imaginable to work their ruin.

To provide for their safety, they went to the king, and enlarged not so much upon the prisoner's guilt, or the circumstances of it, as upon his dangerous and wicked temper, that he was bold, outrageous, and powerful, and would never forget the scandal of his imprisonment, but would think of nothing but revenge, if he were freed from prison before he was tried : those hints determined the king to lay aside his journey to Seatoun, and to go to Edinburgh. On the day appointed for the trial, the king came to the court of justice and sat there in person ; the prisoner was brought to the bar, and had liberty to make his defence in the most full manner he could ; after this the king went out of the court, probably to shun any petitions that might be made for his life, or lest his presence might hinder the judges from speaking their minds freely, seeing it was a matter that concerned the safety of his own person : he ordered the judges to continue the trial till it was ended, and told them he gave them all power to do justice according to their consciences, and to the laws of the kingdom : so upon the proof of the articles of impeachment Sir James was found guilty, and was condemned to be hanged and quartered, and his quarters to be fixed upon the gates of the city. Few lamented his death except his relations ; for his actions had procured very many enemies, because he stuck at nothing to advance his own interest.



From that time there was an intire change in the temper and nature of the king, so that all at once he became morose and chagrin to that degree, that he was uneasy both to himself and others; he was displeased with every thing, and abandoned himself so much to melancholy, that he avoided all recreations: but any scandalous discourse that concerned the nobility, was the only conversation that pleased him.

The cause which was assigned for this melancholy of his, was his superstitious observance of dreams, which he always explained to be the presages of some future dismal event. “It is one of the most remarkable misfortunes of mankind, who, for unaccountable apprehensions, torment themselves with what is past, are perplexed for what is to come, and not satisfied with their present troubles, make use of the night, which was designed for their rest, to increase their misery, and to afford them new materials of affliction.”

Amongst all his dreams, none tormented him more than this; he dreamed, the night after the execution of Sir James Hamilton, that he entered his chamber, and with a sword cut off his two arms, and threatened he would return and take away the remains of his life; upon which he disappeared. The king awakened in a great surprise, continued thoughtful, and was persuaded that that dream which he could not get out of his head, was an omen of something very afflicting, which was very near at hand; this he found too true, for not long after, he had the sad news that

both his sons died the same day, and the same hour, the eldest at St. Andrews, and the other at Stirling. This was a very great loss, but he bore it patiently, because the queen was then with child, who dissembled the sense she had of that affliction, and endeavoured by all means to comfort the king, whom she endeavoured to dissuade from having such a regard to dreams, which above all things impaired his health ; for that end she employed the assistance of two learned divines and philosophers who were then at court, if possibly by argument they could cure the wounded imagination of the king, and persuade him that dreams are nothing but delusions. When the question was stated, whether we ought to give any faith to dreams or not, they were not both of the same opinion :

One of them said, “ that God by dreams used to give men notices of what was to come, and though sometimes they appear very obscure and unintelligible, yet the event, which is the best commentary upon them, discovers their truth ; dreams are generally big with mysteries, the unfolding of which belongs only to those, to whom heaven has imparted that gift ; and if any object that they are frequently false, that mistake proceeds from our ignorance of them, and frequently because persons who are unacquainted with such high secrets, undertake to explain them : besides, that God for very wise reasons reveals himself to mankind during their sleep, because then the soul is most free from the noise, hurry, and confusion of the senses ; and as that

time is most susceptible of his holy inspirations, as the scriptures informs us in the case of Abimelech, Laban, Judas Machabeus, Nebuchadnezar, St. John, the three Wise Men, and others who were all instructed from above in dreams: likewise those surprising arts which Bezaleel and Aholiab excelled in, were more frequently infused into them when asleep, than when they were awake."

The other learned man on the contrary maintained, "that it was only an error of an old date that had seduced several great men, to believe that dreams contained any heavenly mystery, seeing they were to be accounted for in a natural way; for they had their rise partly from the constitution of men, and partly from the active nature of men's spirits, even in the time of rest, when they cannot use the senses and organs of the body, which are then fast bound up by sleep: the mind is obliged to sport itself in the imagination, where there is a medley of ideas relating to different objects, by the blending of which together, it creates chimeras that never did exist, and are impossible ever to be; and sometimes the soul diverts itself in the memory, where are imprinted the ideas of things that have struck our senses, or the traces of things which we have done, or design to do; if the mind happen then to be in any violent passion, the ideas of the imagination are jumbled with those of the memory; the dreams which proceed from such a confusion are incapable of any meaning; so it is profane to attribute them to the holy spirit. How foolish is it to imagine that our

dreams are more capable of infallibility and intercourse with heaven, than our thoughts when we are awake, which are frequently then engaged in deep and rational meditations? How unworthy of God is it to fancy he is the author of dreams, and that by them he warns us of things that are to come, when of a hundred thousand of them we shall scarcely find one that can have any meaning at all; the rest are only chimeras which have no signification: this would prove quite otherwise, if they were from God, who never does any thing in vain; for all his gifts answer the ends they were designed for; so those inspirations which proceed from the omniscience of God, must of necessity be intelligible: for God, who is infallible, never produces effects contrary to his own perfections. How ridiculous is it to imagine, that God, who is light, truth, and order, is the author of dreams which are full of obscurity, lies, and confusion? In vain it is to support that opinion from the authority of the holy scriptures, seeing it is expressly forbidden in Leviticus to observe dreams; further, a regard to dreams and vain delusions has been the occasion of the miscarriage of many actions. He owned that great secrets had been discovered in the night by revelation, which is the peculiar favour of God, but not at all by dreams, which have nothing to do with inspiration; that it was an improper way of speaking to call those visions in the night which appeared to Abimelech, Solomon, and other holy persons, by the name of dreams, seeing the former are prophecies full of high and holy mysteries: in fine, it was great



weakness to be moved by dreams, or to give any credit to them."

The king listened to this discourse with great attention ; but when he compared his dream with the loss of two sons which followed upon it, and whom he thought were represented by his two arms, nothing could hinder him from believing them.

At this time there was neither certain peace, nor open war, betwixt England and Scotland ; for Henry VIII. was enraged to see that his nephew slighted him, this made him give secret orders to his garrisons on the frontiers to make inroads upon Scotland ; when king James saw that such grievances and injuries were not at all redressed, he began to review his troops, because he was assured that in a little time a war would begin betwixt the two kingdoms : upon which he made the earl of Murray, his bastard brother, lieutenant-general of his army, and gave all the necessary orders for putting a stop to the incursions of the enemy. In the mean time, whilst both kings were making preparations for war, king James desired by fair means to compose the differences between his uncle and himself: for that end he sent James Lermont to wait upon king Henry at Newcastle, to excuse his not coming to York, according to his uncle's desire, because then the circumstances of his affairs were such, that it was not safe for him to leave his kingdom ; that there was no reason why the king of England should be angry with him upon that account ; that it was unjust for him to suffer his army, even in the

time of peace, to invade his kingdom, and lay his subjects under contribution, and besides to treat them with all possible cruelty. Mr. Lermont was to ask reparation for those wrongs.

During Mr. Lermont's absence, the king ordered George Gordon, earl of Huntly, to the frontiers with a squadron of light horse, to oppose the English army if they entered Scotland; but he did nothing that was considerable, because he was very far inferior to the enemy in number, whose forces increased daily. The English, in the view of Huntly, marched towards Jedburgh to take it by assault, where they expected good plunder; but the earl of Hume, who had raised four hundred horse in great haste, opposed their march, and disputed every foot of ground with them; and after a bloody fight of three hours, Hume's party perceiving Huntly's troops riding up to them, thought they were coming to reinforce the English army, upon which they retired in good order, with the loss of few of their men, but several were taken. All this time Henry VIII. amused Lermont with promises that he would give full contentment to his nephew till his army was ready to march, which he ordered Lermont to accompany to Scotland, lest otherwise he might give warning to his master, whom he designed to surprise before he was prepared to encounter him.

When the king was informed of the march of his enemies, not being then ready to take the field, to gain time, he sent John Areskine to York, to the duke of Norfolk, who was lieutenant-general of king Henry's army, to demand the reasons of

that invasion ; that if he had done any injustice to the king of England he was willing to make reparation, seeing war would be to both their losses. The duke detained Areskine till his army came to Berwick, and would not suffer him to go to Scotland, though Areskine saw there was no hopes of peace, he got no positive answer from the duke : the design of this was, that king James, expecting peace, might not be in readiness to resist him when he entered Scotland. The king being informed by his scouts, that the English army was within fifteen miles of the borders, he encamped the body of his army near Falla-church, and ordered the earl of Huntly to march before with a thousand men to meet them ; but he did nothing that was remarkable.

Though the Scotch army was outnumbered by the English, yet the king sought all occasions to bring it to a battle ; but could not persuade his nobility to be willing, which highly enraged him, and to gain, if possible, upon them, he made the following speech :

“ Shall it ever be said that the nobility of Scotland have abandoned the service of their king in the sight of the enemy, and when the two armies were ready to engage ? Is it possible that you who have courted opportunities to show your bravery, that you now shall lose this occasion which offers, where you may purchase new laurels ? How unlike are you to those brave warriors your predecessors, whose arms and names you bear, who were regardless of their lives when honour and the defence of their country invited them to war !

If the danger of your king is not argument enough to persuade you, let the safety of your native country move you, which is in danger of suffering all the inconveniencies of being made the seat of the war, seeing your birth, your wives, and children, oblige you to spend your blood in their defence: what have you to fear from the English army which is marching against you, seeing they are only new levied men, and undisciplined, which I could undertake to disperse with those of my household? but I am more afraid of those amongst you, who are not determined, as yet, if they shall assist me in the time of the engagement; you ought to remember it was always a fixed principle with your worthy ancestors, That life is a punishment to those who have lost their honour. Rouse then your courage, and suffer not victory to escape us, which shall certainly be ours, if you discover any bravery at all upon this occasion; otherwise I shall publish your ingratitude, and leave it to posterity to judge, whither cowardice or treason has the greatest share in your thus deserting the service of your king."

The king could not moderate his wrath, though many of the nobility represented, "that they had acquired reputation enough, in that with so small a force, and levied in such haste, they had stopt the progress of their enemies powerful and numerous army, which had been so long a preparing, and which designed no less than to overrun the whole country, which though it had been eight days on the frontiers, yet never durst advance one mile within it; they were not sensible that they



had degenerated from the valour and merit of their forefathers, and should never give occasion to the king either to doubt of their courage or fidelity. But they desired his majesty to consider how dangerous it would be, both for his person, and kingdom, to hazard a battle at such an unfit time ; he ought to remember Flodden Field, where rashness contributed more than any thing to the defeat, and lost the life of his father, and exposed their country to the mercy of his enemy : if he would be graciously pleased to listen to the advice of his faithful servants, and would suffer his affairs to be managed with patience, they could promise him a sure victory."

It soon appeared, that the advice of the nobility was very fit at that time ; for the duke of Norfolk leaving Berwick, had entered Scotland, and crossed the river Tweed at Kelso, and did not think there was any Scotch army to oppose his march ; but when news came to his camp, that king James was not six miles distant from him, with a considerable army, and designed to give him battle, this unexpected account of matters so terrified his soldiers, a great part of which followed more upon the account of plunder than for fighting, that they repassed the river in great disorder, leaving behind them their arms and baggage, and returned to their houses. Huntly, who knew of this, made no advantage of that disorder, and did not pursue them ; so from that time the king hated him. The lord Maxwell, who earnestly desired to recover in the king's mind a good opinion of his nobility, came and proposed to his majesty, That

if he would give him the command of ten thousand men, he would enter England by the way of Solway, which diversion would divide their enemy's force, and doubted not but he should do some action that should please his majesty. This design was very like to turn to a good account, if it had not been ruined by the king's implacable aversion to the nobility: for the king, after he gave the command to Maxwell, a wise and experienced general, who detached a body of ten thousand men from the army, he then gave also a secret commission in writing to a young gentleman, called Oliver St. Clare, of no great family, and above all, who had no experience in any such matters, which strictly commanded all the army to acknowledge him for the king's lieutenant-general, which commission Oliver was not to open till the two armies was about to engage; his design in this was, That if that army routed the English, the nobility might pretend no share in the victory, whose pride above all things he desired to mortify. Maxwell passed the Solway, and was about to enter England, when there appeared on the top of a hill about one thousand five hundred of the enemy's horse, about two miles from his army, and was then about to pursue them, when St. Clare, according to the king's orders, is presently mounted on crossed pikes, that he might be seen by the army, and has his commission read with a loud voice: this unexpected turn of affairs, provoked all the soldiers so much, and especially Maxwell, that immediately they broke their ranks, and refused to obey the new

general; so confusion now prevailed instead of their former good order. The enemy perceiving this, improved it to their own advantage, and were resolved to attack them immediately whilst in disorder, before they were determined either to fight or retire; they charged them with great fury and a loud cry, whilst their sutlers, baggage, and servants, horse and foot were all mixed together: few soldiers were killed in this encounter, but many were made prisoners. The news of this scandalous defeat when brought to the king, who was near at hand, almost distracted him; sometimes his thoughts was full of nothing but revenge against those who would not acknowledge St. Clare their general; at another time he was racked with indignation and shame for that scandalous misfortune, and resolved to levy a new army, and either to rout his enemies, or to lose his life.

But the prudent queen, who perceived that the king was distempered with melancholy and chagrin, and that the present bad posture of affairs required a peace, she procured a truce by the mediation of the earl of Angus, who for that good service had liberty granted him to return into Scotland.

Upon the disbanding of the army the king came to Stirling, whither the queen came also, and was brought to bed of a daughter called Mary, who was queen of Scotland after her father's death; this was a considerable comfort to them in their late troubles: but the long watchings, the constant perturbation of mind, and grief which he had suffered for about four months, had so weakened the king, that at length he was taken with a

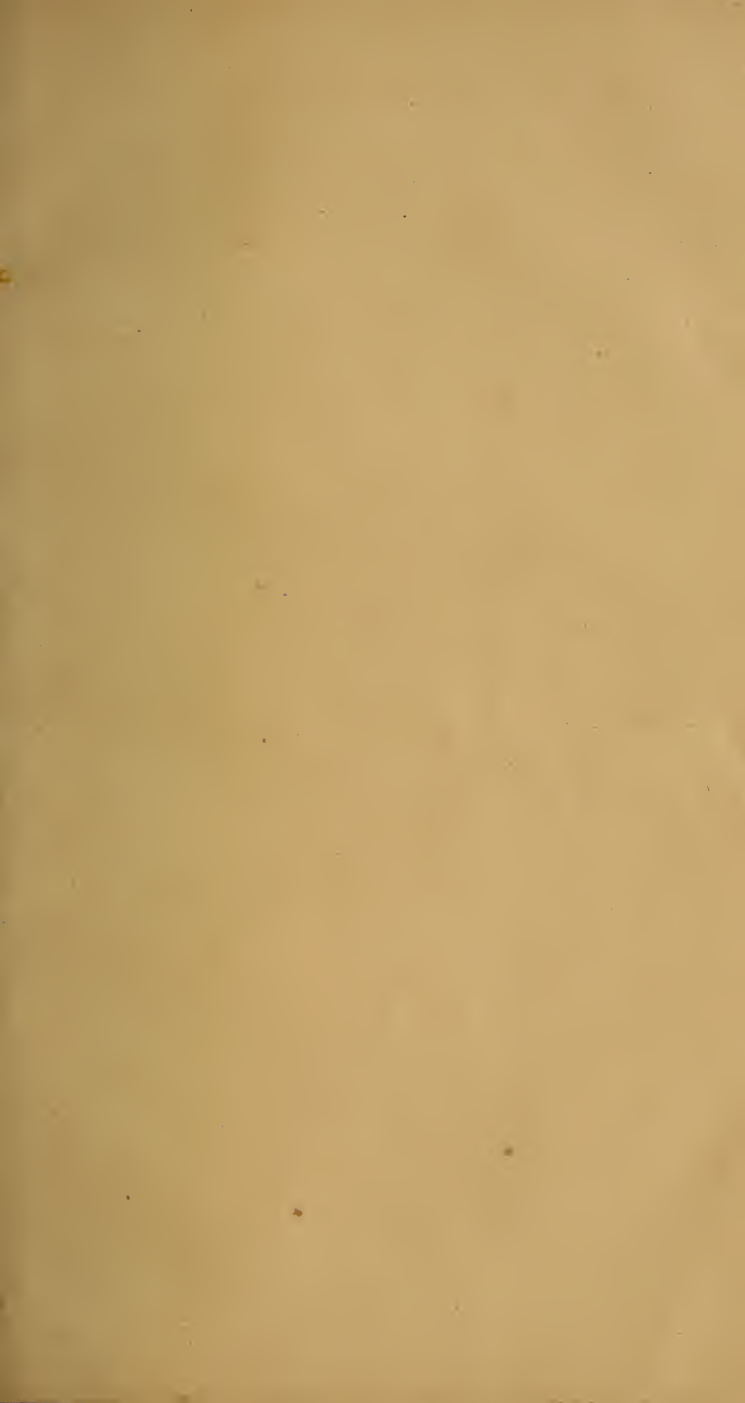
loss of appetite, which hindered from taking any nourishment, and that occasioned his death.

He was a comely prince, of an ordinary stature, but strong to a wonder; he was naturally a man of great abilities, of a penetrating judgement, and had made a greater figure in the world, if those gifts of nature had been cultivated by a good education; but it was the unhappiness of that time, that learning was thought unbecoming a great man: he was gracious, a lover of justice, and punished thieves severely; he could endure much fatigue, and suffer trouble with a great evenness of temper; the poor had as easy access to him as the great; but withal he was very much given to his pleasures.

Thus died king James, the fifth of that name, December 30th, 1541, more by grief than sickness, being in the flower of his youth, about thirty years of age, after he had reigned twenty-eight years.

FINIS.







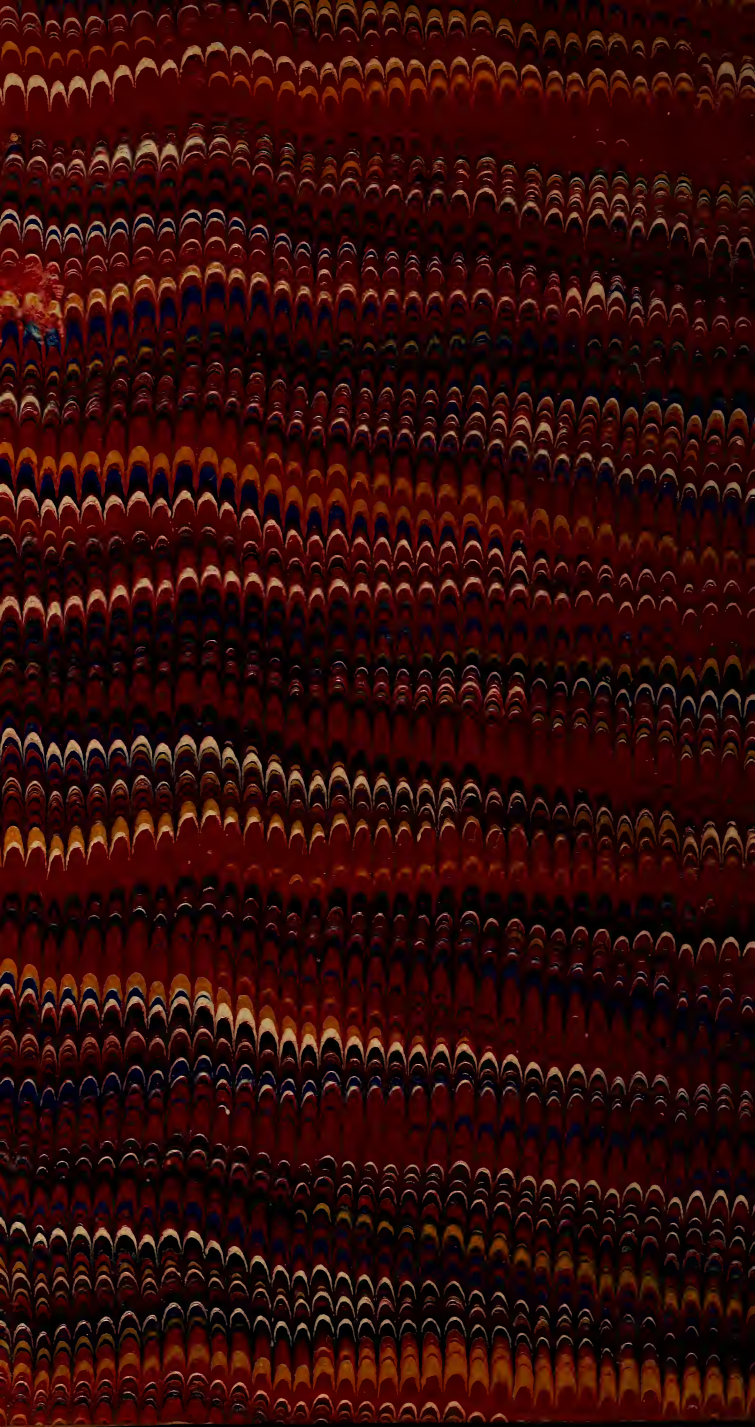






Rights of Solomon. no. 12  
Page 36

572





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